

MINUTES OF REGULAR COMMISSION MEETING HELD JANUARY 7, 1981

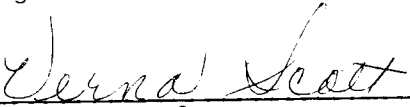
The City Commission met in regular session on January 7, 1981, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Naylor presided. Absent: Commissioner Doyen and Commissioner Dunshie.

Other Officers present: City Manager Metzger, City Attorney Retter and Acting City Clerk Scott.

Visitors present: Fred DeArmond, The Kansan; Brad Lowell, The Blade-Empire; William Walsh, A. B. Charbonneau, Ima Jean Chavey, Ron Deal, Judie Deal and Dennis Rohr.

NO QUORUM

The Mayor announced that since there was no quorum present at the meeting, no official action could be taken and adjourned the meeting.

  
\_\_\_\_\_  
Verna Scott  
Acting City Clerk

(Seal)

VS

MINUTES OF THE SPECIAL CITY COMMISSION MEETING HELD ON JANUARY 13, 1981

The City Commission met in special session at 4:00 o'clock p.m. on January 13, 1981, in the City Commission Room in the City Hall. Mayor Naylor presided with Commissioners Doyen present. Absent: Commissioner Dunshie.

Other Officers present: City Manager Metzger, City Attorney Retter and Acting City Clerk Scott.

Visitors present: Brad Lowell - The Blade-Empire, Fred DeArmond - The Kansan, Francis Cox - Cox-Beswick Well Drilling, Ima Jean Chavey, Charles Robbins, Ron and Judie Deal, Mr. and Mrs. Roy Hinkle.

Mayor Naylor requested the call for the Special Commission meeting to be entered at length in the minutes.

"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 13, 1981

Time: 4:00 o'clock p.m.

The object of said meeting is to consider the following agenda items:

1. Organization Matters.
  - a) Surety Bond - Emma Kindlesparger  
Rebecca Leon
  - b) Appointments to Boards and Commissioners
    1. Board of Zoning Appeals - Dr. James Moore
2. Requests, Petitions and Hearings.
  - a) Public Hearing on Amendments to Zoning Ordinance No. 1829.
    1. Amendment pertaining to a change of zoning of Block 139 from R-1 "Single-Family Dwelling District" to R-2 "Multiple-Family Dwelling District".
    2. Amendment pertaining to the expiration of zoning permits.
    3. Amendment concerning the definition of lot coverage in an R-1 "Single-Family Dwelling District".
3. Ordinances and Resolutions.
  - a) Ordinance establishing charges for ambulance service.
  - b) Ordinance amending Zoning Ordinance 1829 pertaining to the expiration of zoning permits.
  - c) Ordinance amending Zoning Ordinance 1829 defining lot coverage in an R-1 "Single-Family Dwelling District".
4. New Business.
  - a) 1981 Operation and Maintenance Assurance Statement - Municipal Swimming Pool.
  - b) Charter Ordinance exempting the City of Concordia, Kansas, from provisions of the Kansas tax lid law for the purposes of police and fire protection and street maintenance.

5. Consideration of other matters which might arise subsequent to the preparation of this special call.

DATED this 12th day of January, 1981.

/s/ Wilbur Naylor  
Mayor

/s/ Lee W. Doyen  
Commissioner

/s/ Fred Dunshie  
Commissioner

NOTICE OF SPECIAL CITY COMMISSION MEETING  
City of Concordia, Kansas

To Wilbur Naylor, Fredric L. Dunshie and Lee W. Doyen, Commissioners:

You are hereby notified that there will be a special meeting of the Board of City Commissioners at 4:00 o'clock p.m., on the 13th day of January, 1981, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

1. Organization Matters.
  - a) Surety Bond - Emma Kindlesparger  
Rebecca Leon
  - b) Appointments to Boards and Commissioners
    1. Board of Zoning Appeals - Dr. James Moore.
2. Requests, Petitions and Hearings.
  - a) Public Hearing on Amendments to Zoning Ordinance No. 1829.
    1. Amendment pertaining to a change of zoning of Block 139 from R-1 "Single-Family Dwelling District" to R-2 "Multiple-Family Dwelling District".
    2. Amendment pertaining to the expiration of zoning permits.
    3. Amendment concerning the definition of lot coverage in an R-1 "Single-Family Dwelling District".
3. Ordinances and Resolutions.
  - a) Ordinance establishing charges for ambulance service.
  - b) Ordinance amending Zoning Ordinance 1829 pertaining to the expiration of zoning permits.
  - c) Ordinance amending Zoning Ordinance 1829 defining lot coverage in an R-1 "Single-Family Dwelling District".
4. New Business.
  - a) 1981 Operation and Maintenance Assurance Statement - Municipal Swimming Pool.
  - b) Charter Ordinance exempting the City of Concordia, Kansas, from provisions of the Kansas Tax Lid Law for the purposes of police and fire protection and street maintenance.
5. Consideration of other matters which might arise subsequent to the preparation of this special call.

Witness my hand and the seal of said city this 12th day of January, 1981.

/s/ Verna Scott  
Acting City Clerk

MINUTES OF THE SPECIAL CITY COMMISSION MEETING HELD JANUARY 13, 1981 (Cont.)

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 Wilbur Naylor, Lee W. Doyen and Fredric L. Dunshie, or to leave said notice at the usual place of residence of said Commissioners before 10:41 o'clock a.m. on the 13th day of January, 1981, and to make a return in writing of said service, showing the manner of such service.

/s/ Verna Scott  
Acting City Clerk

RETURN OF SERVICE

The undersigned received the original notice of special City Commission meeting, of which the foregoing is a copy, at 10:41 o'clock a.m. on the 13th day of January, 1981; and

1. Served the same personally on Commissioner Naylor, Commissioner Doyen and Commissioner Dunshie;

/s/ Verna Scott  
Acting City Clerk"

SURETY BONDS (EMMA KINDLESPARGER AND REBECCA LEON)

APPROVED

The City Manager presented to the Commission the surety bond for Emma Kindlesparger in the amount of \$5,000 and official bond of \$20,000 for Rebecca Leon as City Treasurer. He stated the City Attorney had examined the bonds as to form and sufficiency and recommended their approval. After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried to approve the surety bonds of Emma Kindlesparger and Rebecca Leon.

APPOINTMENT TO BOARD OF ZONING APPEALS (Dr. James Moore)

APPROVED

Dr. James Moore has been recommended to a three year term ending January 19, 1984, on the Board of Zoning Appeals. Dr. Moore has been contacted and agreed to serve. Following 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 to accept the recommendation submitted above.

PUBLIC HEARING

AMENDMENT PERTAINING TO A CHANGE OF ZONING OF BLOCK 139

TABLED

The City Manager stated that on December 9, 1980, the Concordia Planning Commission held a public hearing to consider amending Zoning Ordinance No. 1829 as requested by Mr. A. B. Charbonneau. The Planning Commission had recommended disapproval by unanimous vote and Mr. Charbonneau had requested a hearing with the City Commission.

As Mr. Charbonneau and Mr. William Walsh, attorney for Mr. Charbonneau, were not present a motion was made by Commissioner Naylor, seconded by Commissioner Doyen to table any action on the amendment to change the zoning of Block 139. Motion carried.

PUBLIC HEARING

AMENDMENT PERTAINING TO EXPIRATION OF ZONING PERMITS

HELD

The City Manager stated that on December 9, 1980, the Concordia Planning Commission held a public hearing to consider amending Zoning Ordinance No. 1829, Article XXV, covering enforcement of the zoning ordinance and the issuance of zoning permits. The existing ordinance has no time limit or expiration date on a zoning permit application. The proposed amendment would limit the time on any zoning permit application not to exceed 18 months from date of application to start of construction.

PUBLIC HEARING

AMENDMENT CONCERNING DEFINITION OF LOT COVERAGE IN AN R-1  
"SINGLE-FAMILY DWELLING DISTRICT"

HELD

The City Manager stated that on May 27, 1980, the Concordia Planning Commission approved an amendment to the Zoning Ordinance increasing the permitted lot coverage on a sub-standard lot located in R-1 zones from 30% to 40% of the lot area. This amendment concerns a language change regarding lot coverage - change adds accessory buildings to the computation of lot coverage and maximum square foot coverage. This amendment was also considered at the

ORDINANCE NO. 2240 (AMBULANCE CHARGES)

PASSED

An ordinance entitled "AN ORDINANCE IMPOSING AND DETERMINING PATIENT TRANSPORTATION FEES AND MILEAGE CHARGES FOR AMBULANCE SERVICES RENDERED BY THE CITY OF CONCORDIA, KANSAS, AND AMENDING THE CONCORDIA CODE BY ADDING A SECTION." was read and considered by the Commission. On roll call upon its 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 Acting City Clerk assigned to it No. 2240.

ORDINANCE NO. 2241 (EXPIRATION OF ZONING PERMITS)

PASSED

An ordinance entitled "AN ORDINANCE PERTAINING TO ENFORCEMENT, VIOLATION AND PENALTIES FOR VIOLATION OF THE ZONING ORDINANCE OF THE CITY OF CONCORDIA, KANSAS, BEING ORDINANCE NO. 1829, AND PROVIDING FOR AN 18-MONTH EXPIRATION PERIOD FOR ZONING PERMITS ISSUED UNDER SAID ORDINANCE; AND AMENDING ORDINANCE 1829 BY ADDING A NEW SECTION, TO BE NUMBERED 2.3, TO ARTICLE XXV OF SAID ORDINANCE NO. 1829" was read and considered by the Commission. On roll call upon its 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 Acting City Clerk assigned to it No. 2241.

ORDINANCE NO. 2242 AMENDMENT TO ZONING ORDINANCE RE: LOT COVERAGE

PASSED

An ordinance entitled "AN ORDINANCE PERTAINING TO LOT COVERAGE IN R-1 "SINGLE-FAMILY DWELLING DISTRICT" UNDER THE ZONING ORDINANCE NO. 1829 OF THE CITY OF CONCORDIA, KANSAS, AMENDING SECTION 5.2 OF ARTICLE VI OF ZONING ORDINANCE NO. 1829, AND REPEALING EXISTING SECTION" was read and considered by the Commission. On roll call upon its 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 Acting City Clerk assigned to it No. 2242.

1981 OPERATION AND MAINTENANCE ASSURANCE STATEMENT

SIGNED BY MAYOR

The City Manager presented the Commission an Operation and Maintenance Assurance Statement covering swimming pool improvements made in City Park with federal funds. This statement reaffirms the City's commitment to maintain this facility and needs to be signed by the Mayor and returned to the Kansas State Parks and Resources Authority. The mayor was authorized by the Commission to sign the Assurance Statement.

CHARTER ORDINANCE NO. 11 (EXEMPTION FROM KANSAS TAX LID LAW FOR PURPOSES OF POLICE AND FIRE PROTECTION AND STREET MAINTENANCE)

PASSED

An ordinance entitled "A CHARTER ORDINANCE EXEMPTING THE CITY OF CONCORDIA, KANSAS, FROM THE PROVISIONS OF ALL K.S.A. 79-5011, AS AMENDED; PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT AND AUTHORIZING A LEVY OF TAXES TO CREATE SEPARATE SPECIAL FUNDS FOR THE PURPOSES OF PAYING PUBLIC SAFETY COSTS AND STREET MAINTENANCE, IMPROVEMENT AND RECONSTRUCTION COSTS" was read and considered by the Commission. On roll call upon its 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 Acting City Clerk assigned to it Charter Ordinance No. 11.

FRANCIS COX - COX-BESWICK DRILLING COMPANY

DISCUSSION

Mr. Francis Cox from Cox-Beswick Drilling Company of Clifton, Kansas, was present at the meeting to discuss a bid request for test hole drilling. Mr. Cox was questioning what exactly the City had requested and wanted clarification on water sampling specifications. Commissioner Doyen suggested to Mr. Cox that he meet with the City Manager following the meeting to discuss any questions he had regarding the matter.

CHARLES ROBBINS - DAMAGE CLAIM FILED

NO ACTION

Mr. Charles Robbins was present at the meeting to submit a damage claim in the amount of \$493.42. Mr. Robbins stated that the damage was a result of negligence by a member of a city crew who failed to leave barricades or lights around a hole in the street. Mr. Metzger advised Mr. Robbins and the Commission that we would look into the matter, get some information regarding it and discuss it at the next meeting. No action was taken at this time regarding the claim.

## MINUTES OF THE SPECIAL CITY COMMISSION MEETING HELD JANUARY 13, 1981, (Cont.)

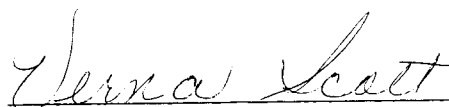
RESIDENTS FROM LOST CREEK HILLS ADDITIONDISCUSSION

Mr. & Mrs. Ron Deal, Mr. & Mrs. Roy Hinkle and Ima Jean Chavey were present at the meeting to discuss street and storm drainage improvements being contemplated for the Lost Creek Hills area. Mrs. Deal explained that they primarily wanted to know the definition of "benefit district" and who was going to pay for the improvements.

Mr. Retter explained that the costs for improvements are assessed on a case-by-case basis, that the staff including the city manager, city engineer and city attorney determine from the improvement petition what is the benefit district. When a person or developer wants an area developed, he initiates the petition at City Hall, and each petition has to meet legal requirements. A petition is determined to be sufficient under K.S.A. 12-6a04 if signed by either: (1) a majority of the resident owners of property liable for assessment; (2) the resident owners of record of more than one-half of the area liable to be assessed, and (3) the owners of record (whether resident or not) of more than one-half of the area liable to be assessed.

Commissioner Doyen informed the group that a new petition regarding improvements in the Lost Creek Hills area was being developed, that it should be circulated shortly and if the group would like to discuss these improvements further, they were welcome to attend a study session to be held Thursday, January 15, 1981, at 12:15 o'clock p.m.

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



Verna Scott  
Acting City Clerk

(Seal)

VS:ek

The City Commission met in regular session on January 21, 1981, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Naylor presided with Commissioner Doyen present. Absent: Commissioner Dunshie.

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

Visitors present: Brad Lowell, The Blade-Empire; Fred DeArmond, The Kansan; and Jerry Baker of Wilson & Co., Engineers, Salina, Kansas.

Minutes of the January 7, and January 13, 1981, meetings were approved as written.

DECEMBER FINANCIAL REPORTS

ORDERED PLACED ON FILE

The City Commission acknowledged receipt of the December financial reports and ordered them placed on file.

QUARTERLY INVESTMENT REPORTS

ORDERED PLACED ON FILE

"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, 1980, through December 31, 1980:

<u>AMOUNT</u>	<u>FUND</u>	<u>DUE DATE</u>	<u>INTEREST RATE %</u>	<u>INTEREST RECEIVED</u>	<u>ORIGINAL TERM</u>
\$ 60,000.00	Misc.	10-02-80	5.25	\$ 798.74	Passbook
35,000.00	Misc.	10-22-80	8.0	229.51	30 days
100,000.00	Misc.	10-22-80	9.638	792.16	30 days
122,000.00	Misc.;PM;W/S	10-29-80	9.46	946.00	30 days
34,000.00	Misc.	10-24-80	8.0	222.95	30 days
40,000.00	Misc;W/S	11-24-80	8.0	262.30	30 days
100,000.00	Misc.	11-22-80	10.338	849.70	30 days
55,000.00	PM;W/S	11-29-80	8.0	360.66	30 days
17,915.50	Cem End	12-31-80	7.5	339.08	4 year
17,915.50	Cem End	12-31-80	7.5	339.08	4 year
106,000.00	W/S;Misc.	12-24-80	13.309	1,156.36	30 days
123,279.00	Misc.	12-31-80	5.25	1,318.39	Passbook
51,000.00	W/S;PM	12-31-80	8.0	334.43	30 days
TOTAL INTEREST RECEIVED - Fourth Quarter				7,949.36	
TOTAL INTEREST RECEIVED - Third Quarter				9,344.89	
TOTAL INTEREST RECEIVED - second Quarter				12,808.95	
TOTAL INTEREST RECEIVED - First Quarter				5,336.86	
TOTAL INTEREST RECEIVED TO DATE				35,440.06	

Respectfully submitted,

s/s Carl M. Metzger  
City Manager"

"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>
Money market Cetificates					
13,385.00	Misc.	1-17-81	8.610	1st Federal Savings	182 Days
Certificates of Deposit					
51,000.00	PM;W/S	1-02-81	8.0	Cloud County Bank	30 Days
17,915.50	Cem End	3-29-81	7.50	Peoples Savings	4 Year
17,915.50	Cem End	3-29-81	7.50	1st Federal Savings	4 Year
Passbook					
2,538.62	Water Deposits Fund		5.25	Cloud County Bank	Passbook

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD ON JANUARY 21, 1981 (Cont)

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/ Verna Scott  
Acting City Clerk

/s/ Rebecca Leon  
Acting City Treasurer"

SURETY BOND - MUNICIPAL COURT CLERKAPPROVED

The City Manager presented to the Commission the Surety Bond for Alta Worley, Municipal Court Clerk, in accordance with Section 2-52 of the Concordia Code in the amount of \$1,000.00. The bond has been approved as to form and sufficiency by the City Attorney. After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried that the Surety Bond in the amount of \$1,000.00 for Alta Worley as Municipal Court Clerk by approved.

PUBLIC HEARINGAMENDMENT PERTAINING TO A CHANGE OF ZONING IN BLOCK 139TABLED

The City Manager stated that this time had been allocated for a public hearing regarding an amendment to Zoning Ordinance No. 1829, but that the applicant, Mr. A. B. Charbonneau and his attorney William Walsh were not present at the meeting and asked the Commission to table the discussion. Motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried to table discussion of this matter until the regular commission meeting to be held on February 4, 1981.

APPROPRIATION ORDINANCE NO. 1APPROVED

Appropriation Ordinance No. 1 was approved according to law.

PARKING METER DISCUSSION

A lengthy discussion was held concerning a request of the City by the Chamber of Commerce Retail Committee to establish new procedures concerning parking meters and parking controls in downtown Concordia. The City Manager related to the Commission that the Retail Committee had suggested the City control parking by chalking tires, create two-hour parking zones and removal of parking meters. This committee had met to discuss who would bear the cost of policing this method of parking control since the City would no longer have enough revenue from parking meters to fund this service. The City Manager suggested a six month trial of new parking regulations followed by an evaluation of the new procedures. He noted that over the past ten years, the revenue from parking meters had drastically reduced. A discussion was held on developing a questionnaire to be circulated in the downtown business district.

Commissioner Doyen stated he felt there was no "right" or "wrong" answer but felt that the reduction in revenue might be the result of slack enforcement by the meter-maids.

The Commission, after lengthy discussion, directed the City Attorney and the City Manager to draw up ordinances changing method of enforcement and repealing sections of our present metering ordinance and present it at the next regular City Commission meeting.

CHARLES ROBBINSDAMAGE CLAIMTABLED

Mr. Charles Robbins presented a claim to the City Commission at their meeting held January 13, 1981, in the amount of \$493.42 which he claims was a result of negligence of the City Water Department crew. The City Manager presented the Commission with a police department accident report and stated that two water department crew members had given him an account of the accident. Mr. Metzger recommended denial of the claim.

The Commissioners reviewed the claim at length and requested the City Manager get more itemized account of the damages claimed. Following discussion of the claim, motion was made by Commissioner Doyen, seconded by Commissioner Naylor to table the claim presented by Mr. Robbins until their Study Session meeting to be held on January 27, 1981.

PRE-APPLICATION SUBMISSION FOR FEDERAL ASSISTANCE TO  
FEDERAL AVIATION ADMINISTRATIONAPPROVED

The City Manager requested the City Commission to authorize the City to submit an application for FAA grant funds. He stated that in July of 1980, the City retained the engineering firm of Bucher & Willis to prepare a pre-application for Federal Aviation



plan was developed in accordance with Phase 1 improvements outlined in Blosser Municipal Airport Master Plan completed in 1979. The projects included in this initial phase of development include property acquisition, runway extension, runway overlay, terminal area improvements, tie-downs, runway markings, hangars, navigational and approach aids and lighting in the amount of \$566,000.00.

Ninety percent (90%) of the total cost of the project is eligible for Federal funding but the remaining ten percent (10%) must be raised locally with the local cost estimated to be around \$56,600.00. Mr. Metzger suggested to the Commission that if the local share of these improvements are to be financed with a bond issue, the question must be submitted to the voters and we should anticipate spending more than the \$56,600.00 since the construction of this project probably could not be anticipated to begin for another twelve to eighteen months and construction costs can be anticipated to be higher. Mr. Metzger stated he had met with the Airport Advisory Board on this matter and another meeting is scheduled for January 28th to discuss how to proceed. The Commissioners and City Manager agreed that possibly a summer election - July or August - could be anticipated.

Motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried by two-thirds of the members-elect of the Commission to give the requested permission to the City Manager to submit an application for Federal Aviation Agency grant funds.

#### JERRY BAKER - WILSON & CO., ENGINEERS

Mr. Jerry Baker of Wilson & Company Engineers of Salina, Kansas, was present at the meeting. He reminded the Commission of his company's long association with the City of Concordia going back to 1932 to a water supply study. He expects to attend the Commission meeting on a regular basis to provide more service at a lower cost and wants the City's future business. The Commissioners thanked him for his interest and attendance at the meeting.

#### FIRE RUNS & LOSSES, AMBULANCE RUNS

The City Manager presented to the Commission for their information a summary of fire runs and losses and ambulance runs for the years 1979 and 1980.

There were a total of 86 fire runs in 1979 and 78 runs in 1980. Estimated damages were \$128,575 and \$40,725 respectively.

There were 454 ambulance runs made in 1979 and 391 in 1980.

#### MAYORS PRAYER BREAKFAST

The City Manager read correspondence stating that the annual Mayor's Prayer Breakfast would be held Tuesday, January 27, 1981, at 7:00 o'clock a.m.

#### STATUS REPORT - COMMUNITY DEVELOPMENT BLOCK GRANT

The City Manager stated that he had contacted the regional office and learned they had established priorities. The regional office is waiting for Congress to develop appropriations. He did not expect to hear about Concordia's Block Grant until March or April.

#### OPEN HOUSE - CITY SHOP AND CEMETERY MAINTENANCE BUILDINGS

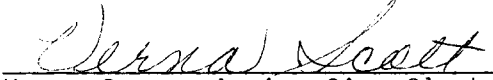
The City Manager informed the Commission that an open house was scheduled for all day, January 28th, 1981, to show the new city shop facility and the cemetery maintenance building.

#### STUDY SESSION

#### DATE SET

The City Manager and Commissioners established Tuesday, January 27, 1981, at 12:15 o'clock p.m. for the next study session.

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

  
Verna Scott, Acting City Clerk

(Seal)

VS:ek

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 4, 1981

The City Commission met in regular session at 4:00 o'clock p.m. on February 4, 1981, in the City Commission Room in the City Hall. Mayor Naylor presided with Commissioners Doyen and Dunshie present. Absent: None.

Other Officers present: City Manager Carl Metzger, Assistant City Attorney Tuggle and Acting City Clerk Scott.

Visitors present: Christine Tyler from the Blade-Empire, Fred DeArmond from the Kansan, Donna and John Hodgins, Sharon Davis-Cloud County Coordinator for the County Commission on Aging, Boyd Dochow-Senior Citizen's Center, Richard Culbertson, Jack Chaney and Greg Hattan.

Minutes of the January 21, 1981, meeting were approved as written.

AMENDMENT TO CITIZEN'S ADVISORY COMMITTEEGOALS AND OBJECTIVESAPPROVED

The City Manager presented to the Commission a proposed amendment to the Citizen's Advisory Committee Goals and Objectives, numbered Section B.3, concerning the terms and conditions under which rehabilitation grant/loans are repaid by relatives or estates of deceased grant recipients. He explained that from time to time amendments were needed to update the Goals and Objectives to meet certain needs. The Citizen's Advisory Committee is recommending that Section B.3 be revised to provide that in the event the grant recipient dies within the three (3) year grant/loan period, that all further claims against the property established by the rehabilitation contract be waived. This change will allow the grantee's heirs to divest or sell the property subject to grant/loan provisions without penalty.

After a short discussion, 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 to approve the change as proposed by the Citizen's Advisory Committee.

APPOINTMENTS TO CITIZEN'S ADVISORY COMMITTEEAPPROVED

The City Manager presented to the Commission the names of the following individuals who have agreed to serve another term on the Citizen's Advisory Committee.

<u>Name</u>	<u>Term Expiration</u>
Ima Jean Chavey	2-1-84
Ethel Henthorne	2-1-84

Following a brief discussion, Commissioner Naylor moved, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the entire members-elect of the Commission to approve the appointments of Ima Jean Chavey and Ethel Henthorne to the Citizen's Advisory Committee.

PUBLIC HEARINGAMENDEMNT PERTAINING TO A CHANGE OF ZONING IN BLOCK 139TABLED

The City Manager stated that this time had, once again, been allocated for a public hearing regarding an amendment to Zoning Ordinance No. 1829, but that the applicant, Mr. A. B. Charbonneau and his attorney William Walsh were not present at the meeting and asked the Commission to table the discussion. He informed the Commission that both of these gentlemen would be available at the regular City Commission meeting to be held on February 18, 1981, and Mr. Metzger had informed them that with or without their presence, the Commission would act on this request at that time.

The Commission agreed with the City Manager's suggestion and tabled further discussion until the February 18, 1981, meeting.

APPROPRIATION ORDINANCE NO. 2-2AAPPROVED

Appropriation Ordinance No. 2-2A was approved according to law.

ORDINANCE NO. 2243 (ABOLISH METERED PARKING)PASSED

An ordinance entitled "AN ORDINANCE ABOLISHING METERED PARKING IN THE CITY OF CONCORDIA, KANSAS, AND, REPEALING ALL SECTIONS OF THE CONCORDIA CODE PROVIDING FOR AND IMPLEMENTING THE SAME" was read and considered by the Commission. On roll call upon its passage the following Commissioners voted "Yea": Naylor, Doyen 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 Acting City Clerk assigned to it No. 2243.

ORDINANCE NO. 2244 (ESTABLISHING NEW PARKING REGULATIONS)

PASSED

An ordinance entitled "AN ORDINANCE REGULATING AND LIMITING PARKING OF VEHICLES IN CERTAIN ZONES IN THE CITY OF CONCORDIA, KANSAS, ESTABLISHING SAID ZONES, AND PROVIDING PENALTIES FOR VIOLATIONS, AND AMENDING THE CONCORDIA CODE BY ADDING A SECTION TO BE NUMBERED 23-48" was read and considered by the Commission. On roll call upon its passage the following Commissioners voted "Yea": Naylor, Doyen 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 Acting City Clerk assigned to it No. 2244.

ORDINANCE NO. 2245 (TRUCK PARKING REGULATIONS)

PASSED

An ordinance entitled "AN ORDINANCE RELATING TO THE REGULATION OF TRUCK, TRAILER, AND SEMI-TRAILER PARKING WITHIN THE CITY OF CONCORDIA, KANSAS" was read and considered by the Commission. On roll call upon its passage the following Commissioners voted "Yea": Naylor, Doyen, 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 Acting City Clerk assigned to it No. 2245.

ORDINANCE NO. 2246 (PROHIBITING OVERNIGHT PARKING)

PASSED

An ordinance entitled "AN ORDINANCE PROHIBITING THE OVERNIGHT PARKING OF VEHICLES USED TO TRANSPORT FLAMMABLE, EXPLOSIVE, TOXIC OR OTHER INHERENTLY DANGEROUS MATERIALS IN THE CITY OF CONCORDIA, KANSAS; PROVIDING PENALTIES THEREFOR" was read and considered by the Commission. On roll call upon its passage the following Commissioners voted "Yea": Naylor, Doyen 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 Acting City Clerk assigned to it No. 2246.

PARKING METER REGULATION DISCUSSION

Jack Chaney and Richard Culbertson, both downtown business men, were present to discuss the new parking regulations and to make suggestions as to the hours of enforcement and the method of enforcement.

After a lengthy discussion on the passage of the above ordinances, the Commission and City Manager explained to the businessmen that at the end of six months a survey would be submitted to the downtown business people asking for comments and the experience that will have been obtained by that time. At that time a review will be done on the situation and change can be noted or made depending upon the needs of the downtown business community.

SEWER-PLUMBER-GAS INSPECTOR BOND (CLYDE S. GILE)

APPROVED

The City Manager presented to the Commission a gas inspector/sewer plumber bond submitted by Mr. Clyde S. Gile dba Gile Plumbing and Trenching of Scandia, Kansas. The City Manager stated that the Assistant City Attorney had reviewed and approved the bond as to sufficiency and determined it to be in conformance with City Ordinances. After a brief discussion, motion was made by Commissioner Dunshie, seconded by Commissioner Doyen and duly carried that the gas inspector/sewer plumber bond submitted by Mr. Gile be approved.

STUDY SESSION

DATE SET

The City Manager and City Commission established Thursday, February 12th, 1981, at 12:15 o'clock p.m. as a study session.

DAMAGE CLAIM (DONNA AND JOHN HODGINS)

PRESENTED

Donna and John Hodgins were present to notify the Commission that their property had been damaged by frozen water pipes. The property is located at 217 E. 15th Street. They informed the Commission that the water had been turned off but that due to a faulty valve owned by the City, the water had been able to seep into the pipes and due to the extreme cold weather, the pipes had frozen and they feel the expenses they will incur should be paid by the City. They also informed the Commission that no repairs had been done at this point but that the Commission should know about the damage and the damage claim they would present to them at a future time.

The Commissioners thanked the Hodgins for appearing, asked them to submit cost estimates and they informed the Hodgins' that the City would document the City's activities in this incident for this future meeting.

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MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 4, 1981 (cont)

BOYD DOCHOW (SENIOR CITIZEN'S CENTER)

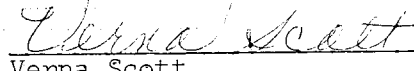
REPORT

Mr. Boyd Dochow representing the local Senior Citizen's Center and Sharon Davis, the County Coordinator for the County Commission on Aging were present at the meeting. Mr. Dochow informed the Commission that the Commission on Aging has filed an application for a new van from the Area Agency on Aging at Manhattan, Kansas. He has learned that the Concordia center has a possible chance at some money that had been allocated for the Lincoln center. We are first on the list of applicants if the money is divided up and not used by Lincoln. They also received a grant application from the Department of Transportation, which they will file.

There is an effort underway by the senior citizens of this community to raise the mill levy to support their operation from  $\frac{1}{2}$  mill to a full mill. This levy would support five centers. There will be an election in April on this mill levy.

He reported on the activity at the local center stating that in 1978, the average attendance was 70 and in 1980 this average increased to 76. He stated that according to statistics, the elderly population in this area would increase 40% by 1985 and the local center is not large enough to handle the many visitors. He thanked the City for its past support of the center and was present to report on the vital role this center played in this community.

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

  
Verna Scott  
Acting City Clerk

(Seal)

VS:ek

The City Commission met in regular session on February 18, 1981, at 4:00 o'clock p.m. in the City Commission Room at City Hall. Commissioner Doyen presided with Commissioner Dunshie present. Absent: Mayor Naylor.

Other officers present: City Manager Metzger and Assistant City Attorney Thomas Tuggle.

Visitors present: Brad Lowell, Blade-Empire, Fred DeArmond, The Kansan, John R. Smith, Dan Quarequo, Henry Harris, Roy E. Hinkle, Pete Pellat, Barbara L. Dolezal, Perry D. Parsons, Joy Kieffer, Lyle Kieffer, Kay Hobbs, Glen Walker, Douglas Sutton, Greg Hattan, Ron Deal, David Swenson, D. A. Erickson, Mr. William Walsh and A. B. Charbonneau.

Minutes of the February 4, 1981, meeting were approved as written.

JANUARY FINANCIAL REPORTS

ORDERED PLACED ON FILE

The City Commission acknowledged receipt of the January financial reports and ordered them placed on file.

APPOINTMENT TO CITIZEN'S ADVISORY COMMITTEE  
(DORIS HERMAN & LAWRENCE HURLEY)

APPROVED

Doris Herman and Lawrence Hurley had been recommended to 3-year terms ending February 1, 1984, on the Citizen's Advisory Committee. Both have been contacted and agreed to serve. Following 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 members-elect of the Commission to accept the recommendation submitted above.

SURETY BONDS

LINDA DAVENPORT, ORVETTA MALONEY, ANNA R. WAITE

APPROVED

The City Manager presented to the Commission surety bonds for Linda Davenport, Orvetta Maloney, and Anna R. Waite, each in the amount of \$1,000 as required by Concordia Code as required for clerks of the municipal court. He stated the City Attorney had examined the bonds as to form and sufficiency and recommended their approval.

After a brief discussion, motion was made by Commissioner Doyen and seconded by Commissioner Dunshie and duly carried to approve the surety bonds of Orvetta Maloney, Linda Davenport and Anna R. Waite.

PUBLIC HEARING

AMENDMENT PERTAINING TO CHANGE OF ZONING OF BLOCK 139

TABLED

The City Manager stated that on December 9, 1980, the Concordia Planning Commission held a public hearing to consider amending Zoning Ordinance #1829 as requested by Mr. A. B. Charbonneau. The Planning Commission had recommended disapproval by unanimous vote and Mr. Charbonneau had requested a hearing with the City Commission.

Mr. A. B. Charbonneau and Mr. William Walsh, attorney for Mr. Charbonneau, were present to discuss this matter with the City Commissioners. Mr. Walsh told the Commission about the applicant's efforts to construct a carport and later a garage on his property, citing a building permit issued by the city to Mr. Charbonneau in May of 1974 and a second building permit denied by the city on September 15, 1980. He also told the Commission that as a result of the denial of the second permit, the application for rezoning had been filed in order to provide for additional lot coverage. He also stated that the proposed change in zoning would have a positive effect on the properties located in Block 139. He requested that the City Commission approve this change in zoning or allow lot coverage on the Charbonneau property to be increased under authority of the May 1974 zoning permit to allow for construction of the garage at a location on the east side of the principle dwelling rather than the west side as shown on the original permit.

Commissioner Doyen stated that he was not in favor of spot zoning but would like to see this matter resolved to the satisfaction of Mr. Charbonneau and the City. Commissioner Dunshie stated that the City should follow established procedures for dealing with these matters. He further stated that he was not in favor of granting exceptions to established procedures in order to resolve this issue. Additional discussion followed between Commissioners Doyen and Dunshie. Following completion of this discussion, Commissioner Dunshie moved to table this item until the March 4, 1981, Commission meeting so all information about this rezoning request could be reviewed and additional information filed. Seconded by Commissioner Doyen and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission to table the discussion on the Charbonneau case until the March 4, 1981, Commission meeting.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 18, 1981

PETITIONS FOR INTERNAL IMPROVEMENT PROJECT -  
(ST-81-SUNFLOWER-SUNSET)  
(ST-81-CRESCENT LANE)  
(WL-81-1-CRESCENT LANE)

ACTION TABLED

The City Manager presented to the Commission petitions from Orange Owl, Inc., requesting grading, curbing, surfacing and drainage of Sunset Trail from the North line of the intersection of Sunset Trail and Crescent Lane to the North line of the intersection of Sunset Trail and Sunflower Road; and also, Sunflower Road from the East line of the intersection of Sunflower Road and Sunset Trail to the East lot line of Lot 3, Block 2, Lost Creek Hills Addition. Secondly, he presented a petition from John R. Smith requesting grading, curbing, surfacing and drainage of Sunset Trail from the South line of Lot 13, Block 3, Lost Creek Hills Addition to the North line of the intersection of Sunset Trail and Crescent Lane; and also, Crescent Lane from the East side of the intersection of Sunset Trail and Crescent Lane to the South line of Lot 4, Block 3, and Lot 21, Block 2, Lost Creek Hills Addition. Finally, he presented a petition from John R. Smith and Orange Owl, Inc., requesting construction of a six-inch (6") water pipeline in Crescent Lane in Lost Creek Hills Addition between the intersection of the center line of Crescent Lane and the eastern lot line of Lot 2, Block 3, in Lost Creek Hills Addition and the intersection of said center line of Crescent Lane and the western lot line of Lot 1, Block 2, in Lost Creek Hills Addition.

The City Manager advised the Commission that all three petitions were sufficient, filling any one of the three requirements described in Commission Policy Statement #4 dated June 7, 1978, covering public improvement petition requirements under K.S.A. 12-6a04. He stated the purpose of the Policy Statement is to establish a policy for acceptance of legally sufficient petitions for improvements petitioned for under the provisions of the Kansas General Improvement Assessment Law.

The City Manager reviewed the Engineer's Estimate of Cost on each of these three projects and the proposed apportionment of cost between the benefit district and the city-at-large. Following presentation of this information, the City Manager advised the Commission that should it decide to proceed with each of these projects it should by a majority vote of the members adopt a resolution authorizing the improvement and ordering it to be done.

The City Manager then advised those present that the Commission was interested in giving all interested parties the opportunity to express their opinions about the projects as they are presented.

Mr. David Swenson, attorney for Arvidale Erickson and Ron Deal addressed the Commission and expressed concern about several points. He stated that the boundaries of the benefit district as stated in the petition were not precise. He questioned the inclusion of storm sewer improvement costs in the benefit district expense when the area benefiting actually included a larger area than that described in the petition and he questioned why a credit for curb and gutter sections in front of the D. A. Erickson property could not be shown on the petition as a credit to Mr. Erickson's percentage amount of the total assessment.

Following Mr. Swenson's comments, Commissioner Doyen and Commissioner Dunshie briefly discussed the points he had raised. Commissioner Dunshie stated that he was not inclined to make a decision today but would like the City Manager to work with the developer and find a workable solution to the problems described by Mr. Swenson. The motion was made by Commissioner Doyen and seconded by Commissioner Dunshie to table action on both petitions for street improvements until the City Manager could meet with the developer and other interested parties in order to reach an agreement on this matter. Motion was carried.

RESOLUTION #609 (PETITION : WL-81-1-CRESCENT LANE) APPROVED

The City Manager presented to the City Commission the writtem petition of John Smith and Orange Owl, Inc., proposing an 8-inch water line commencing at the northwest corner of Lot 4, Block 3, Lost Creek Hills Addition, then west to Lot 1, Block 3, Lost Creek Hills Addition.

The Commission examined and considered the petition after which it was moved 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 #609 be adopted, declaring the necessity of said improvement and authorizing the same.

ENGINEER ESTIMATE OF COST (WL-81-1-CRESCENT LANE) APPROVED

Motion was made bu Commissioner Doyen and seconded by Commissioner Dunshie and duly carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that the Engineer's Estimate of Cost for the Crescent Lane water main in the amount of \$5,406.00 be apprvoed. The cost of the project is proposed to be assessed at a rate of 100% to the benefiting property owners and 0% to the city-at-large and is to be paid through

APPROVAL OF FINAL COSTS AND HEARING DATE SET (WL-80-2)APPROVED

The City Manager presented to the governing body the following itemized statement of the actual costs for the construction of a 10-inch transmission line with sections of 8-inch fire protection water line commencing at a 14-inch tee located immediately south of the west elevated storage tower at the intersection of Republican Street and Fourteenth Street then east on Fourteenth Street to State Street then east across property owned by the Nazareth Convent Academy to the western boundary of said convent property then across property owned by the Concordia Plaza Development Company, Inc., to a point intersecting an existing 8-inch water line which is 670 feet north of the 8-inch main located in Seventeenth Street all in the City of Concordia, Kansas. This project was authorized and ordered done by written resolution #596 dated October 1, 1980.

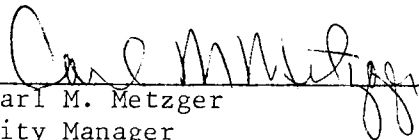
<u>PROJECT ITEM</u>	<u>DISTRICT COST</u>	<u>CITY-AT-LARGE COST</u>
Construction Contract	\$ 29,584.14	\$ 44,322.20
Engineering Services	1,128.60	1,692.90
Legal Services	584.00	876.00
Administration	1,563.04	2,344.55
Interim Financing	2,993.53	4,490.29
 TOTAL	 \$ 35,817.31	 \$ 53,725.94
Percentage of Cost	40%	60%

The statement was considered by the governing body and on a motion by Commissioner Doyen, seconded by Commissioner Dunshie and carried by the affirmative vote of two-thirds of the entire members-elect of the Commission. The total cost of the improvement was determined by the governing body to be \$89,543.25. The City Manager had determined the assessments against each lot, piece and/or parcel of land deemed to be benefited in the manner set forth in the said resolution of the governing body adopted October 1, 1980, and had caused to be prepared and filed with the City Clerk an assessment roll according to the method of assessments set out in said resolution. On a motion made by Commissioner Doyen, seconded by Commissioner Dunshie and carried by the affirmative vote of two-thirds of the entire members-elect of the Commission this governing body determined to meet and consider the proposed assessments on the 4th day of March 1981 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 costs proposed to be assessed.

STUDY SESSIONDATE SET

February 26, 1981, at 12:15 o'clock p.m. was the date set for the next study session.

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

  
 Carl M. Metzger  
 City Manager  
 Acting Secretary

(Seal)

CMM:ek

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 4, 1981

The City Commission met in regular session at 4:00 o'clock p.m. on March 4, 1981 in the City Commission Room in the City Hall. Commissioner Doyen presided with Commissioner Dunshie present. Absent: Commissioner Naylor.

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

Visitors present: Roland Hood, Greg A. Bengston, Lowell Thoman, Inez and Dudley Thurston, Roy Hinkle, Greg Hattan, Ron Deal, Arvidale Erickson, Fred DeArmond from The Kansan and Brad Lowell from The Blade-Empire.

Minutes of the February 18, 1981 meeting were approved as written.

ZONING CHANGE APPLICATION - A. B. CHARBONNEAU

DENIED

The City Manager stated that this was a public hearing to consider the proposed amendment to Zoning Ordinance No. 1829. This amendment has been considered by the City Commission on several occasions. Mr. A. B. Charbonneau has requested the change in order to allow multi-family land use. In his case, the multi-family land use exists now as a non-conforming use. The Concordia Planning Commission opposes the change in the zoning ordinance for the following reasons:

1. Giving the rest of the block a change in zoning would result in no immediate change in the land use because intensity of use regulations require at least 9,000 sq. ft. for two-family and multi-family dwellings. The minimum lot size would actually increase to a point that no future construction could occur without the consolidation of two or more ownerships.
2. The applicant's home appears to be the only multi-family dwelling in Block 139 and its conversion occurred prior to the adoption of the zoning ordinance resulting in its being a legal non-conforming use. It is the intent of the Zoning Ordinance to eliminate all non-conforming uses or to control them by prohibiting their expansion.
3. The amendment is inconsistent with the comprehensive plan as it recommends that mixing of land use in this area should be arrested before general blighting of residential property occurs.

After a lengthy 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 to accept the Planning Commission's recommendations and deny the change in the Zoning Ordinance.

PETITIONS FOR IMPROVEMENTS - LOST CREEK HILLS

TABLED

The City Manager presented two petitions that had been submitted to the City by Orange Owl, Inc. and John R. Smith, developers of the Lost Creek Hills Addition for drainage improvements and street surfacing improvements. Mr. Metzger recommended denial of the present petitions in order to prepare two more petitions. A number of property owners in the benefit districts have challenged the projects, contending that method of apportioning costs for drainage improvements was invalid.

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 to deny the petitions as they are presented today, to have two new petitions drawn to separate the drainage projects from the street projects and to schedule a meeting for Thursday, March 12, 1981 at 12:15 p.m. to discuss the matter further.

PUBLIC HEARING - SPECIAL ASSESSMENTS - WL-80-2

DEFERRED

The City Manager announced that this date had been set to consider the proposed assessments on Project No. WL-80-2 but that the Notice of Public Hearing was not prepared in time to allow ten days advance notice of the assessments and asked the Commission to set March 18, 1981 as the date to meet and consider the proposed assessments on this project.

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 to set March 18, 1981 as the hearing date on special assessments for Project No. WL-80-2.

APPROPRIATION ORDINANCE NO. 4-4A

APPROVED

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

ENGINEERING AGREEMENT - WILSON & CO.  
WATER QUALITY CONTROL

APPROVED

City Manager Metzger reported to the Commission that due to the many water problems the City has been experiencing in the past few months, he had contracted Wilson & Co., profess-



asked the following services be provided:

1. Collection of water samples and any other pertinent data.
2. Review water quality analyses of recent water samples and compare previous analyses with new samples.
3. Prepare reports summarizing findings, suggested corrective actions and any other pertinent information.

Mr. Metzger reported the fees for the services listed above would be \$1,300.00 and the City Commission would need to approve an agreement for this amount. In addition to the items listed above, Wilson and Co. would assist the City utility staff in the design of corrective measures as requested, but there would be an additional fee for that service.

Following a lengthy 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 to accept the agreement with Wilson & Co.

#### WELL SITE DISCUSSION

The City Manager reported to the Commission that the City had been attempting to locate more sources of water and that so far six test wells have been drilled in Concordia. He said that only the well at Joler Park appears to be sufficient to provide 350 gallon per minute production. One of the biggest obstacles the City has had in searching for water well sites is that many property owners are not giving the City permission to drill on their land. The City needs to find at least 3 more wells which will produce 350 gallons per minute volume.

During the discussion on the above problem, Commissioner Doyen remarked that the Rural Water District No. 1 who presently receives much of its water supply from the City is only receiving about 6% of the City's total volume.

#### EASEMENT AGREEMENT - ORANGE OWL, INC. - WELL SITE


ACCEPTED

The City Manager presented to the Commission an easement agreement prepared by the City Attorney that had been signed by Dudley and Inez Thurston, owners of Orange Owl, Inc. to put down a test well at a site at the southwest corner of the Country Club. Following a discussion at which time the Commission thanked the Thurstons for allowing the well site to be drilled and expressing their appreciation to the Thurstons for recognizing the City's problem in locating water sources, 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 to accept the easement agreement of Orange Owl, Inc.

#### LOWELL THOMAN - VISITOR

Lowell Thoman appeared at the Commission meeting to complain about a 4-Way Stop sign that had been installed at the intersection of Campus Drive and Republican Street. He stated he had read the uniform traffic control manual and that if the City had installed the 4-way stop as a speed control it would only breed "contempt of the law". He asked the Commission what rationale was used to put up this 4-way stop. Commissioner Doyen informed Mr. Thoman that he was primarily responsible for the installation of the stop sign because it was an extremely dangerous intersection and that it had been put there to save lives. Mr. Thoman suggested that other methods might be tried such as speed bumps or more patrolling of the area to correct the problem. Commissioner Dunshie said the Commission would take the problem under advisement.

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

  
\_\_\_\_\_  
Verna Scott, Acting City Clerk

(Seal)  
VS:sb

# MINUTES OF THE REGULAR COMMISSION MEETING HELD MARCH 18, 1981

The Commission met in regular session on March 18, 1981 at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Naylor presided with Commissioners Doyen and Dunshie present. Absent: None.

Other Officers present: City Attorney Retter, City Clerk Nordin, Secretary Scott and City Engineer Johnson.

Visitors present: Brad Lowell from The Blade-Empire, Fred DeArmond from The Kansan, Inez and Dudley Thurston, Rachelle Hower, Greg Bengston, Virgil N. Brummer, Shelly Farha, Juanita Means, Francis and Dorothy Marcotte, Donna Hodgins, Dean Johnston, Roy and Elizabeth Hinkel, Ron and Judie Deal, Ray Houser, David Swenson, Rolland Hood, Mr. and Mrs. Jack Gould, Dale and Betty Scott, David Wheaton, John R. Smith, Mr. and Mrs. Evert Christians, Arvidale Erickson, Dennis and Jean Reinwald, Dennis Rohr, Ima Jean Chavey, Earlene Stanford, Kenneth Palmquist, Bill Vaupel from Wilson & Co., Greg Hattan, Roger Nelson, LeRoy Snavelly, Lynnette Saunders and Marcie Welsh.

Minutes of the March 4, 1981 meeting were approved as written.

## FEBRUARY FINANCIAL REPORTS

ORDERED PLACED ON FILE

The City Commission acknowledged receipt of the February financial reports and ordered them placed on file.

## APPOINTMENT OF LIBRARY BOARD

APPROVED

The Concordia Library Board has recommended the reappointment of Bill Sanders to a second four year term on the Frank Carlson Library Board to end April 10, 1985. Following a brief discussion, motion was made by Fred Dunshie, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission to accept the recommendation as submitted above.

## PETITION FOR INTERNAL IMPROVEMENT PROJECTS

RESOLUTION #610

The City Clerk presented to the City Commission the written petition of John R. Smith and five others, proposing the grading, curbing and surfacing of Sunset Trail from the apparent south line of Lot 13, Block 3, Lost Creek Hills Addition to the City of Concordia, Kansas, if extended, would intersect the apparent west side of Sunset Trail, as platted, to the apparent north side of the intersection of Sunset Trail and Crescent Lane, as platted; and also Crescent Lane from the apparent east side of the intersection of Sunset Trail and Crescent Lane, as platted, to the apparent south line of Lot 4, Block 3, in said Lost Creek Hills Addition, where said line, if extended, would join with the apparent south line of Lot 21, in said Block 2; all in Lost Creek Hills Addition to the City of Concordia, Cloud County, Kansas.

David Swenson, representing Arvidale Erickson whose property is located within the benefit district, suggested to the Commission that Mr. Erickson had already paid to have curb and gutter placed on his property and he felt there needed to be verbage to delete the cost of or at least credit to Mr. Erickson's assessment, the cost of the above mentioned curb and gutter. Mr. Paul Johnson, the City Engineer felt if we give assurance to Mr. Swenson that his property would only be charged for 205 ft. of the proposed 219 ft. of curb and gutter, that at some future time when the damaged curb and gutter needed replacement, Mr. Erickson would be totally responsible for the cost incurred at that time.

Following this lengthy 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 directing the City Manager write a letter of assurance to Mr. Erickson stating that he would only be assessed for 205' of the curb and gutter improvement but that at some future time when the remaining 14 ft. of damaged curb and gutter needed replacement, that Mr. Erickson would be responsible for the cost of such replacement.

Following a controversial discussion among the residents of Lost Creek Hills, Greg Bengston, representing the owners of Orange Owl, Inc. informed the Commission that he was presently negotiating to provide financial assurances and did not expect the City to carry on without these assurances. Commissioner Dunshie asked Mr. Bengston the approximate date the City could be expected to receive these assurances and Mr. Bengston said that should be provided within two to three weeks.

The Commission then examined and considered the petition, after which it was moved by Commissioner Doyen, seconded by Commissioner Dunshie and duly carried by the affirmative vote of the entire members-elect of the Commission to accept the petition of Mr.

John R. Smith and five others and that Resolution No. 610 declaring the necessity of said improvement and authorizing the same be approved.

PETITION FOR INTERNAL IMPROVEMENTS

ACCEPTED

The City Clerk presented to the City Commission the written petition of Orange Owl, Inc. a Kansas Corporation, proposing the grading, curbing and surfacing of: Sunset Trail from the apparent north line of the intersection of Sunset Trail and Crescent Lane, as platted, to the apparent north line of the intersection of Sunset Trail and Sunflower Road, as platted; and also, Sunflower Road from the apparent east line of the intersection of Sunflower Road and Sunset Trail, as platted, to a line created by extending the apparent east lot line of Lot 8, Block 2, Lost Creek Hills Addition to the point of intersection with the north side of Sunflower Road, as platted; All in Concordia, Cloud County, Kansas. There was a lengthy discussion by several residents in the Lost Creek Hills area about the statutes the City used in determining the method of assessments. Following this discussion, The Commission accepted the petition as presented by Orange Owl, Inc.

DRAINAGE PROJECTS FOR LOST CREEK HILLS ADDITION

DEFERRED

The drainage projects that have been submitted to construct adequate drainage along with the street construction in Lost Creek Hills have been tabled and no action was taken at this time.

Mayor Naylor announced that he felt action should be deferred on main storm drainage until such time construction had begun on the street projects.

PUBLIC HEARING (WL-80-2) NAZARETH CONVENT WATER LINE

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: A 10-inch water transmission line with sections of 8-inch fire protection water line commencing at a 14-inch Tee located immediately South of the West elevated storage tower near the intersection of Republican Street and Fourteenth Street, then East on Fourteenth Street to State Street, then East across property owned by The Nazareth Convent Academy, to the West boundary of said Convent property, then East across property owned by Concordia Plaza Development Co., Inc. to a point intersecting an existing 8-inch water main, which is 670 feet North of the 8-inch main located in Seventeenth Street, within the corporate limits of the City of Concordia, Kansas, as authorized by a resolution of this governing body adopted the October 1, 1980 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 owners of the property made liable to pay such assessments, all as provided by K.S.A. 12-6a09(b).

Present: No one.

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(a).

BID AWARD - PUBLIC UTILITIES PICKUP TRUCK AND  
PUBLIC SAFETY POLICE VEHICLE

MIDWAY MOTORS

The City Clerk presented to the Commission bids received on March 17, 1981 for the purchase of half-ton pickup and police department vehicle. Bids received are as follows:

<u>1981 Half-ton Truck</u>	<u>Amount Bid</u>
Midway Motors, Inc.	\$ 6,560.00
Clyde Motors	6,748.25
Kling Motors	7,450.00
<u>1981 Police Vehicle</u>	<u>Amount Bid</u>
Midway Motor Co.	\$ 6,375.00
Clyde Motors	6,502.30
Kling Motors	6,950.00

After reviewing the specifications for both vehicles and considering the bids received, Commissioner Doyen recommended the award of both vehicle bids to the apparent low bidder, Midway Motors, Inc. of Concordia. After a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Dunshie and duly carried by the affirmative of the entire members-elect of the Commission to accept the bids of Midway Motors, Inc.

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MINUTES OF THE REGULAR COMMISSION MEETING HELD MARCH 18, 1981 (cont.)

WILSON & CO. WATER QUALITY REPORT (BILL VAUPEL)

Mr. Bill Vaupel from Wilson & Co., Engineers was present to discuss their Water Quality Report that had been requested from their company on February 16, 1981. He reported that their analyses indicate that Concordia's water passes the National Primary Drinking Water Regulations and that NPDWR's regulations are enforceable. However, none of the well water samples analyzed passes the National Secondary Drinking Water Regulations (NSDWR) however, NSDWR standards and guidelines are not enforceable at this time, but are suggested for public water systems.

In the water analyses presented, the total dissolved solids exceed the EPA Recommended Maximum Constituent Levels (RMCL) of quality for many domestic, industrial and agricultural purposes.

These waters are very hard due mainly to dissolved salts of calcium, iron, magnesium and manganese. RMCL's for water hardness do not appear in the NSDWR, but the "goals" of the American Water Works Assoc. The concentration of manganese in the water from Well No. 16 and the northwest well field exceed the RMCL. While it is not harmful for human consumption at these concentrations, it can cause discolored water and other nuisance problems.

Conditions of concentrations of iron and manganese are a taste to the water, difficulty with water-treatment processes, turning the water a turbid yellow-brown to black and will cause staining of plumbing fixtures and laundry. Sloughing of the accumulations of iron and manganese often leads to adverse consumer reaction including complaints of tastes and odors. Depositions of iron and manganese in mains are frequently resuspended by increased flow rates causing high turbidities and yellow-brown to black water.

He indicated that Mr. Dave Wheaton, Director of Utilities, along with fire department staff currently flush and test hydrants and that this is a good maintenance practice.

His Short-Term Recommendations are as follows:

The following short-term recommendations should be implemented this year (1981):

1. Add polyphosphates to the well water from the northwest well field and Well No. 16 to stabilize the iron and manganese present in the water. Stabilization will assist in the prevention of the occurrence of "black" water.
2. Continue current test well drilling program, locate and construct additional wells to provide an adequate supply of water to meet immediate needs.
3. Conduct a comprehensive water system study to develop a systematic plan for expanding, maintaining and replacing water system facilities and for providing adequate service to customers at the most economical cost. This study should address both the short-range and long-range needs for source of supply, distribution system, fire protection, pumping system and storage facilities.

Long-Term Recommendations

The following long-term recommendations for water supply should be carefully studied and evaluated prior to implementation:

1. Obtain a new source of water whose quality meets both National Primary and Secondary Drinking Water Regulations, or
2. Construct a water treatment plant to remove iron and manganese, soften the water, and produce a finished quality water that meets both National Primary and Secondary Drinking Water Regulations.

RESOLUTION NO. 611 (MORTGAGE MONEY BOND PROGRAM  
WITH BARTON COUNTY)

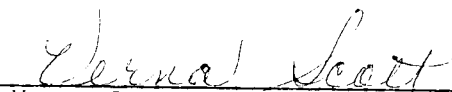
APPROVED

Virgil Brummer was present at the meeting to explain about the availability of single family mortgage revenue bond funds. The City had entered into a consent agreement with Barton County, Kansas for these funds in May of 1980 but the agreement became void after Barton County decided not to issue the bonds because of unfavorable interest rates.

Mr. Brummer stated that Cloud County has accepted an open end commitment and First Federal has applied for 1.4 million dollars to serve Lincoln, Mitchell, Osborne and Cloud Counties at an interest rate that is now 10.95%. He stated that this is not a money maker but felt that it would create a market for new homes.

In order for mortgage revenue money to be available within the corporate city limits of Concordia, a cooperative agreement must be issued. This resolution and cooperative agreement will place no obligation on the City of Concordia for either the issuance, repayment or administration of bonds sold under this issue. 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. 611 establishing a cooperative agreement with Barton County, Kansas for single family mortgage revenue bonds be approved; and further that the Mayor and City Clerk be authorized to execute such agreement.

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



Verna Scott  
Secretary

(Seal)  
VS:sb

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MINUTES OF THE REGULAR COMMISSION MEETING HELD APRIL 1, 1981

The Commission met in regular session on April 1, 1981 at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Naylor presided with Commissioner Doyen present. Absent: Commissioner Dunshie.

Other officers present: City Manager Metzger, City Attorney Retter, City Clerk Nordin, City Engineer Johnson and Assistant Clerk Scott.

Visitors present: Brad Lowell from The Blade-Empire, Fred DeArmond from The Kansan, Ross Hatfield, Lorene Fraser, Betty Scott, Mr. and Mrs. Max Hupach, Dennis Reinwald, Mr. and Mrs. Jack Gould, Roy and Elizabeth Hinkel, Ron and Judie Deal, Rolland Hood, Aaron Davidson, Kevin J. LaBona, Ralph Means, Dave Morrisette, Mike Peterson, Marcie Welsh, Jerome Sorell, Ima Jean Chavey, Mrs. Keith Cox, Greg Hattan, Arvidale Erickson and Larry Lagasse.

PETITION RESCINDED (ST-81-SUNFLOWER ROAD/SUNSET TRAIL)

APPROVED

The City Manager presented to the Commission a request from Orange Owl, Inc. to rescind the petition for the improvement project entitled ST-81-Sunflower Road/Sunset Trail. The developers and owners of Orange Owl, Inc., Dudley and Inez Thurston, informed the City Manager that they had sold the northern tier of Lots along Sunflower Road to the St. Joseph Hospital and would no longer have any interest in completing the construction project.

After a short discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried by two-thirds of the entire members-elect to approve the rescission of the petition for the improvement project entitled ST-81-Sunflower Road/Sunset Trail.

PUBLIC HEARING

AMENDMENT TO ZONING ORDINANCE OF E. 18' OF LOT 21, ALL OF LOT 22 IN BLOCK 146 TABLED

The City Manager stated that on March 10, 1981, the Concordia Planning Commission held a public hearing to consider amending Zoning Ordinance #1829 as requested by Mrs. Louise R. Saindon to allow the conversion of the properties described as the E. 18' of Lot 21, All of Lot 22 in Block 146 of the City of Concordia, Cloud County, Kansas from an R-2 (Multi-family Dwelling District) to a C-1 (Commercial-Central Business District) zone.

Mayor Naylor felt that action should not be taken at this time due to the fact that the Commission was one member short and he felt the Commission should take time to study the request. Following this discussion, motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried by two-thirds of the members-elect to defer action on the above request until the next regularly scheduled Commission meeting to be held on April 15th.

PETITION FILED FOR REFERENDUM ON CHARTER ORDINANCE NO. 11

ACCEPTED

The City Manager informed the City Commission that on March 20, 1981, protest petitions had been filed with the City Clerk carrying 337 genuine signatures that had been certified by the County Clerk. These petitions had been filed following the passage of Charter Ordinance No. 11 dated January 13, 1981.

The City Manager informed the Commission that they had two options. 1) To do nothing and the Charter Ordinance would become null and void at the end of 30 days and 2) To call an election within a 30 day period. After a discussion, the Commission advised the City Manager and City Clerk to hold a special election.

ORDINANCE NO. 2247 (SPECIAL ELECTION)

PASSED

An ordinance entitled "AN ORDINANCE PURSUANT TO THE PROVISIONS OF ARTICLE 12, SECTION 5 OF THE CONSTITUTION OF THE STATE OF KANSAS, PROVIDING FOR THE CALLING OF A SPECIAL ELECTION IN AND FOR THE CITY OF CONCORDIA, KANSAS, AT WHICH TO SUBMIT TO THE ELECTORS OF SAID CITY THE FOLLOWING QUESTION: "SHALL CHARTER ORDINANCE NO. 11, ENTITLED A CHARTER ORDINANCE EXEMPTING THE CITY OF CONCORDIA, KANSAS, FROM THE PROVISIONS OF ALL K.S.A. 79-5011, AS AMENDED; PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT AND AUTHORIZING A LEVY OF TAXES TO CREATE SEPARATE SPECIAL FUNDS FOR THE PURPOSES OF PAYING PUBLIC SAFETY COSTS AND STREET MAINTENANCE, IMPROVEMENT AND RECONSTRUCTION COSTS, TAKE EFFECT?" was read and considered by the Commission. On roll call upon its 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. 2247.

APPROPRIATION ORDINANCE NO. 6-6A

APPROVED

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

ORDINANCE NO. 2248 (WL-80-2 - NAZARETH CONVENT WATER LINE)

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 A 10-INCH WATER TRANSMISSION LINE WITH SECTIONS OF 8-INCH FIRE PROTECTION WATER LINE COMMENCING AT A 14-INCH TEE LOCATED IMMEDIATELY SOUTH OF THE WEST ELEVATED STORAGE TOWER NEAR THE INTERSECTION OF REPUBLICAN STREET AND FOURTEENTH STREET, THEN EAST ON FOURTEENTH STREET TO STATE STREET, THEN EAST ACROSS PROPERTY OWNED BY THE NAZARETH CONVENT ACADEMY, TO THE WEST BOUNDARY OF SAID CONVENT PROPERTY, THEN EAST ACROSS PROPERTY OWNED BY CONCORDIA PLAZA DEVELOPMENT CO., INC. TO A POINT INTERSECTING AN EXISTING 8-INCH WATER MAIN, WHICH IS 670 FEET NORTH OF THE 8-INCH MAIN LOCATED IN SEVENTEENTH STREET, ALL IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS" was read and considered by the Commission. On roll call upon its 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. 2248.

(PROJECT S-81-1-CRESCENT LANE/SUNSET TRAIL)

DEFERRED

The City Manager presented to the Commission a resolution for storm sewer improvements consisting of inlets located at the southeast and southwest corners of the intersections of Crescent Lane and Sunset Trail and 250 ft. of 24-inch storm sewer pipe running north from this intersection to an existing waterway running west to Lost Creek. He explained to the Commission and visitors present that the cost of this project would be \$14,651.77 with annual principal payments due over 15 years. After some discussion regarding the above, motion was made by Commissioner Naylor, seconded by Commissioner Doyen to defer any action on this resolution until April 15th at which time a full Commission would be present to hear the presentation and City would have time to receive the following assurances.

GUIDELINES AND ASSURANCES COVERING INTERNAL IMPROVEMENTS FOR PROJECT ST-81-CRESCENT LANE/SUNSET TRAIL

PASSED

The City Manager expressed to the Commission his desire to clarify a misunderstanding about assurances to be given to the Commission by Orange Owl, Inc. Mr. Metzger asked that the following statement be incorporated into the official City Commission Minutes; "Assurances have been requested from Orange Owl, Inc. as the principal developer of Project ST-81-Crescent Lane/Sunset Trail that the City's credit will not be adversely affected by installing and financing these improvements. A special assessment indemnity agreement providing for payment of special assessments when due and a letter of credit insuring payment of these special assessments when due, will be delivered to the City Clerk and will remain in effect until such time as zoning permits have been issued and construction has begun on fifty percent (50%) of the property liable for assessment owned by Orange Owl, Inc. in the ST-81-Crescent Lane/Sunset Trail benefit district". 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 to include the statement in quotes above in the official minutes of Commission Proceedings.

RESOLUTION NO. 612 (WITHDRAWAL OF PETITION)

PASSED

City Attorney Retter advised the Commission that they should pass a resolution accepting the request from Orange Owl, Inc. to withdraw the petition for the improvement project entitled, ST-81-Sunflower Road/Sunset Trail. The petition for improvement was submitted to the City Clerk on March 17, 1981, and accepted by the Commission on March 18, 1981. Mr. Retter felt that a resolution was needed in order to keep a clearer, better record of the events involving this controversial construction project. After a short 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. 612 be adopted, declaring that the petition filed with the City Clerk on March 17, 1981 by Orange Owl, Inc. be withdrawn.

STUDY SESSION

DATE SET

April 9, 1981 at 12:15 o'clock p.m. was the date set for the next study session.

## MINUTES OF THE REGULAR COMMISSION MEETING HELD APRIL 1, 1981 (cont.)

VISITORS PRESENT

There were several visitors present from the Lost Creek Hills area to discuss the meeting held on March 18, 1981. Judie Deal complained to the Commissioners that she felt there were items left out of the minutes and wanted to know why. The questions she raised regarded a law cited by Dale Scott which gave Kansas cities an alternative to the present assessment laws Concordia was now using. Mr. Metzger explained to Mrs. Deal and the others that the City had adopted an Administrative Policy No. 4 in June, 1978 and the City had uniformly used this policy in the past 4 years and that most cities in Kansas used the K.S.A. 6a laws.

Mrs. Roy Hinkel expressed to the Commission that they said they did not request bids from outside car dealers but that Kling Motor Co. of Belleville had submitted a bid for a city truck and police vehicle. She felt this was inconsistent. Bids had been accepted from several vehicle dealers at the last commission meeting.

After a lengthy discussion concerning several matters, those cited above included, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and duly carried that the Commission adjourn.



Verna Scott  
Assistant City Clerk

(Seal)  
VS:sb



The Commission met in regular session on April 15, 1981, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Naylor presided with Commissioners Doyen and Dunshie present. Absent: None.

Other officers present: Brad Lowell from the Blade-Empire, Fred DeArmond from the Kansan, Christine Tyler, Janice Hattan, Margaret Hattan, A. B. Charbonneau, Alden A. Begnoche, Luella Hpach, Max Hupach, Everett Morgan, Ima Jean Chavey, Lorene Fraser, J. E. Sorell, Rolland Hood, Aaron Davidson, Geneva J. Cox, Kevin J. LaBona, Denny Reinwald, Ron Deal, Kay Predmore, Fedora Nobert, Larry Lagasse, David Swenson, Judie Deal and Dean Larson.

Minutes of the April 1, 1981, meeting were approved as written.

#### MARCH FINANCIAL STATEMENTS

ORDERED PLACED ON FILE

The City Commission acknowledged receipt and review of the March financial statements and ordered them placed on file.

#### QUARTERLY INVESTMENT REPORTS

ORDERED PLACED ON FILE

"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, 1981, through March 31, 1981

<u>Amount</u>	<u>Fund</u>	<u>Due Date</u>	<u>Interest Rate %</u>	<u>Interest Received</u>	<u>Original Term</u>
\$ 13,385.00	Misc.	1-18-81	8.610	\$ 574.65	182 Days
135,000.00	Misc.	2-16-81	14.318	1,588.71	30 Days
171,000.00	Misc;W/S;P.M.	3-16-81	14.818	4,165.28	60 Days
100,000.00	Misc.	3-16-81	14.818	2,429.18	60 Days
100,000.00	Misc;W/S;P.M.	3-19-81	14.397	1,183.32	30 Days
17,915.50	Cem End	3-29-81	7.50	339.08	4 Yr.
17,915.50	Cem End	3-29-81	7.50	339.08	4 Yr.
2,538.62	Wt. Deposit	3-29-81	5.	32.00	Passbook

TOTAL INTEREST RECEIVED - FIRST QUARTER \$10,651.30

Respectfully submitted,

Carl M. Metzger  
City Manager"

"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>
Money Market Certificates					
13,385.00	Misc.	7-17-81	14.478	1st Fed. Savings	182 Days
Certificates of Deposit					
100,000.00	Misc;P.M.	4-18-81	12.996	Cloud County Bank	30 Days
100,000.00	Misc.	4-20-81	11.758	Cloud County Bank	30 Days
111,000.00	Misc;/W/S	5-18-81	13.496	1st Bank & Trust	60 Days
17,915.50	Cem. End.	9-30-83	12.	Peoples Savings	30 Months
17,915.50	Cem. End.	10-01-83	12.	1st Fed. Savings	30 Months
Passbook					
3,214.98	Wt. Deposits		5.	Cloud County Bank	Passbook
52,000.00	Misc.		5.25	Cloud County Bank	Passbook
415,430.98					

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

s/s Carl Metzger  
City Manager

s/s Paul Nordin  
City Clerk

s/s Verna Scott  
City Treasurer"

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 15, 1981 (CONT.)

ELECTION RESULTS

PLACED ON FILE

Mayor Naylor read the report from the Cloud County Commission serving as the Board of Canvassers on the April 7, 1981, City General Election stating that the Board of Canvassers certified the following results:

Gregory L. Hattan	911 votes
Lawrence Adams	769 votes
Total number of votes cast	1,680

The Board of Canvassers of the Cloud County Commission declared Gregory L. Hattan elected to the office of City Commissioner.

SURETY BONDS

DOYEN, NAYLOR & HATTAN

The City Manager stated that according to City Ordinance, City Commissioners are to have surety bonds for the legal discharge of their duties prior to assuming responsibilities of the office. Bonds have been approved as to form and sufficiency in the amount of \$5,000 each by the City Attorney. 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 approve the surety bonds for Commissioners Doyen, Naylor and Hattan.

PLAQUE OF APPRECIATION PRESENTED

FREDRIC L. DUNSHIE

City Manager Metzger presented a plaque of appreciation to Fredric L. Dunshie and City Commissioner Doyen and City Commissioner Naylor each expressed their appreciation and pleasure at having worked with Mr. Dunshie over the past three years. Mr. Dunshie told the Commissioners and the visitors present that he had enjoyed his tenure as commissioner and that it had been a real education for him.

OATH OF OFFICE - CITY COMMISSIONER

GREGORY L. HATTAN

The City Manager stated that City Ordinance requires that elected officials take the Oath of Office before entering into the duties of their office. City Clerk Nordin administered the Oath of Office to Commissioner Hattan for a three year term.

ANNUAL COMMISSION REORGANIZATION

SELECTION OF MAYOR

The City Manager stated that City Ordinances require the Commission to annually elect one of its members as its chairman to serve as mayor and preside at Commission meetings and perform as official head of the City on formal occasions. After a brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried by unanimous vote of the Commission that Commissioner Lee W. Doyen be elected to serve as Mayor for the ensuing year.

DESIGNATION OF OFFICIAL CITY NEWSPAPER

BLADE-EMPIRE

Motion was made by Commissioner Naylor, seconded by Commissioner Doyen and carried by unanimous vote of the members-elect as required by Kansas Statutes that the Blade-Empire be designated as the official city newspaper.

PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE

DEFERRED

The City Manager stated that on March 10, 1981, the Concordia Planning Commission held a public hearing to consider amending Zoning Ordinance No. 1829 to allow the conversion of properties located in Lot 21 and 22, Block 146 from residential rental use (R-2) to Commercial Use (C-1). Upon this request by Mrs. Louise R. Saindon, the City Planning Commission has recommended the approval by unanimous vote. The Planning Commission supports the rezoning for the following reasons:

1. The proposed amendment is consistent with the Comprehensive Plan and the planned growth of the central business district is predicted to occur along East Sixth Street from Lincoln to Kansas.
2. Adjacent land use east and south is C-1.
3. The property has been vacant for over one year. Continued vacancy could result in additional deterioration and dilapidation. This property could become a blighted area.
4. Redevelopment of the existing structure is not cost effective according to the owner. New residential construction is not possible because of the lot size and existing land use regulations.
5. Land use density will be decreased if the property is rezoned and ultimately redeveloped.

A protest to this rezoning has been filed with the City and Mr. Everett Morgan was

construct a commercial building and remove an old house that is not repairable and thereby increasing the tax base for the City of Concordia. He stated that the Commissioners and Chamber of Commerce should concern themselves with adding businesses to a community who has been losing businesses. He felt that it would be a definite improvement to the area and that the corridor along East Sixth Street should be commercial anyway. He feels the petition filed against this improvement is wrong, and that adding this 44' to the existing C-1 district the overall aspect of the area and he would request that the City Commission uphold the Planning Commissioners recommendation.

Following the presentation by Mr. Morgan, Aaron Davidson, a resident who lives at 225 E. 6th St., stated he was against this. He wanted to know about his rights and the rights of the other resident property owners along the street. He feels that trash and debris would be scattered throughout the area and it would disturb the neighborhood. He wanted to know where the traffic would exit. . . Absolutely did not want a store. Geneva Cox owns a rental house in the area and feels that it will be harder to rent her property. Jerome Sorell has four properties across the alley. He stated that he had put a lot of money into rennovating these properties and does not want any additional commercial businesses in the area. Kevin LaBona is a renter on East Sixth Street. He stated the traffic is already abhorrent, that sometimes he is unable to exit from his own property through four or five light changes. The increased traffic would present a real danger to his children who now must play in the alley. He thinks this commercial building will increase traffic in the alley.

Commissioner Doyen asked the City Manager that if the property were sold, could it become an all-night operation. City Manager Metzger replied that it could and there are some 97 specific uses which could be made of the property if sold. City Manager Metzger also explained that there were some restrictions because the property was located in the fire zone and that access would be restricted by the Kansas State Department of Transportation. He explained that rezoning the property could present a density problem but that the Planning Commissioners felt it would be an appropriate change from R-2 to C-1 and they have come up with a positive recommendation.

After listening to this discussion about the request for the change, Commissioner Hattan stated that he was very concerned about the traffic in the area, he wanted to talk with Police Chief Dennis Rohr and Street Director Tom Fisher and he then moved that action be deferred until the regular commission meeting to be held on May 6, 1981. Following the motion, a second was heard by Commissioner Doyen, all commissioners voted "Aye" and motion carried to defer action until May 6, 1981.

#### PUBLIC HEARING

#### AMENDMENT TO ZONING ORDINANCE

HELD

The City Manager stated that on March 24, 1981, the Concordia Planning Commission held a public hearing to consider amending Zoning Ordinance No. 1829 to rezone Lots 1 & 2, Block 150 from C-S to C-1. This zoning classification will allow use of this property for commercial purposes as specified in the zoning code. The properties included in the area are owned by Dean Larson, Larry Vernon and Townsdin & Uri.

David Swenson, attorney for Dean Larson, was present to recommend the City Commission concur with the Planning Commission's recommendations and authorize an ordinance amending the present zoning ordinance.

After a discussion, motion was made by Commissioner Hattan, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission to approve the changes and directed the City Attorney to draft an ordinance affecting such change and present it at the meeting held on May 6, 1981.

#### APPROPRIATION ORDINANCE NO. 7

PASSED

Appropriation Ordinance No. 7 was passed according to law.

#### INTERNAL IMPROVEMENT PROJECT S-81-1-CRESCENT LANE/SUNSET TRAIL

DISCUSSED &  
ELIMINATED

The City Manager explained to the City Commission that since the meeting held April 1, at which time the Governing Body had requested financial assurances from the owners of Orange Owl, Inc., the situation surrounding the request for these assurances has changed. The north tier of lots has been sold to St. Joseph Hospital with the entire holdings of Orange Owl, Inc., scheduled for sale on April 22nd. The City Manager advised the Commission that our bond counsel would not approve a petition for drainage because of the benefiting portion of the district existing outside the city limits. Following receipt of this information, we have attempted to come up with an alternate solution with a pipe under the road and an approximate cost of \$3,500.00. The drainage would be very minimum and then the streets would be constructed as already provided for by resolution and this would become a part of project ST-81- -Crescent Lane/Sunset Trail.

## CITY COMMISSION MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 15, 1981 (Cont.)

City Engineer Johnson advised the City would have to get an easement for open ditch drainage and put in a culvert. Commissioner Naylor asked if this revision would meet with the City Engineers's approval. Johnson answered that though it would not be ideal, we can live with it. He remarked there would be a problem of erosion. Ron Deal interjected at this point about Dudley Thurston not getting permission to alter the natural drainage that had existed along this area and also wanted to know if curb and gutter costs could be eliminated from this project.

Following a lengthy discussion, a motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the Commission to rescind the financial assurances requested from Dudley and Inez Thurston, owners of Orange Owl, Inc.

FINAL COSTS OF PROJECT WL-80-3 AND HEARING DATE SETAPPROVED

The City Manager presented to the governing body the following itemized statement of the actual cost of the construction and installation of an eight-inch fire protection waterline located as follows: Beginning at the present 8" water line, approximately 555 ft. east and 25 ft. south of the NW corner of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 5, Township 6 South, Range 3 West of the 6th P.M., thence Southwesterly 270 ft. to just west of the end of the curb and gutter on the Country Club Drive, in said City, as authorized and ordered done by a resolution of the governing body adopted October 1, 1980:

<u>DESCRIPTION</u>	<u>QNTY</u>	<u>UNIT</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>	<u>DISTRICT</u>
8" Mall Cast Pipe	300	L.F.	5.40	1,620.00	1,620.00
6" Hydrant	1	E.A.	494.50	494.50	494.50
6" Sleeve	1	E.A.	274.27	274.27	274.27
8" Valve	1	E.A.	395.56	395.56	395.56
8" to 6" Reducer	1	E.A.	86.93	86.93	86.93
Labor	1	L.S.	---	746.00	746.00
Backhoe	24		35./hr.	840.00	840.00
Drill, Machine	1	L.S.	100.00	100.00	100.00
Engineering Services	1	hr.	12.00	12.00	12.00
Legal Services: Interim Financing			150.00		
Bond Issue			350.00	500.00	500.00
Administration				253.46	253.46
Interim Financing				506.44	506.44
TOTAL COSTS				5,829.16	5,829.16
Percentage of Costs				100	100

The statement was considered by the governing body and on a motion by Commissioner Naylor, seconded by Commissioner Hattan, and unanimously carried, the total cost of the improvement was determined by the governing body to be \$5,829.16. 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 October 1, 1980, 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 Naylor, seconded by Commissioner Hattan, and unanimously carried, this governing body determined to meet and consider the proposed assessments on the 6th day of May, 1981, 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.

DAMAGE CLAIM - JOHN HODGINSDENIED

The City Manager stated that a damage claim had been filed against the City by John Hodgins for damages alleged to have occurred at 219 $\frac{1}{2}$  E. 15th St. Mr. Metzger explained to the Commission that Section 26-21(b) of the Concordia Code states that the City shall not be responsible for any damages resulting from the bursting of boilers, breaking of any pipes or fixtures, stoppage or interruptions of water supply or any other damage resulting from the shutting off of water. He also explained to the City that our meter reader had discovered usage at this meter even though the City's records showed the account as being off. It was later discovered that they had rented the residence to a tenant who had never bothered to notify the City, had paid no deposit to have water service at that residence and even though the meter reader had turned the water service off there each month, the water service had been turned back on illegally. The City, to date, has delinquent and unpaid bills in the amount of \$146.34. In light of this issue and the facts presented in the meter readers' report, the City Manager recommended to the governing body that this

DAMAGE CLAIM - CHARLES ROBBINS

DENIED

The City Manager stated that a damage claim that had originally been submitted to the Commission in the amount of \$493.42 by Mr. Charles Robbins had now been reduced to \$175.00. The City Manager felt that the facts obtained by the Police Department and Water Department personnel regarding this accident showed that the City was not negligent and he felt this claim should be denied.

Following a discussion on this claim, motion was made by Commissioner Hattan, seconded by Commissioner Doyen and duly carried by the affirmative vote of the entire members-elect to deny the claim presented by Charles Robbins.

DAMAGE CLAIM - FRANK WHEELER

APPROVED

The City Manager presented a claim to the Commission from Mr. Frank Wheeler for damages to his sewer line allegedly resulting from work done by City Water Department personnel in installing a new 6-inch water main on Third Avenue between West Ninth Street and West Tenth Street last summer. The repairs to Mr. Wheeler's sewer line have been completed and based on information received from David Wheaton, Director of Utilities and Rex Whitney of Whitney Plumbing, Inc. It would appear that the damage claimed was done at the time the City's water main was installed down Third Avenue. Mr. Metzger then recommended to the Commission that Mr. Wheeler's claim be approved.

Following a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission to approve the claim as presented by Mr. Frank Wheeler and the City Manager was instructed to issue a check in the amount of \$606.02.

APPOINTMENT TO LIBRARY BOARD

INGRID NELSON

The Concordia Library Board has recommended the appointment of Ingrid Nelson to a four year term on the Frank Carlson Library Board to end April 10, 1985. Following a brief discussion, motion was made by Commissioner Doyen, seconded by Commissioner Naylor and unanimously carried to accept the recommendation as submitted above.

AGREEMENT FROM KANSAS DEPT. OF TRANSPORTATION

The City Manager advised the Commission that he had had correspondence from the Kansas Department of Transportation regarding an agreement that needed to be presented to the Commission for their execution regarding right-of-way of an alternate route for Highway 81 through the City during the relocation of the bridge across the Republican River. This agreement needs authorization from the governing body. Motion was made by Commission Naylor, seconded by Commissioner Hattan and duly carried by unanimous vote authorizing the mayor and city clerk to execute such agreement.

ROLLAND HOOD - VISITOR

Rolland Hood was present at the meeting to discuss with the Commission his desire to annex property directly to the west of Sunset Trail. He noted he had secured the services of Paul Johnson in platting the area and that the land included some 26 acres or 39 lots.

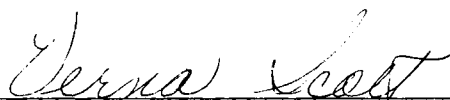
Another subject he is interested in is a five-member City Commission. He thinks it would be desirable to have one commissioner from each ward in the city and one commissioner elected at large.

STUDY SESSION

DATE SET

April 23, 1981, at 12:15 o'clock was the date set for the next study session.

After a discussion on various matters, including those cited above, motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried that the Commission adjourn.

  
\_\_\_\_\_  
Verna Scott  
Assistant City Clerk

(Seal)

VS:ek

MINUTES OF THE SPECIAL COMMISSION MEETING HELD APRIL 17, 1981

The City Commission met in special session at 9:00 o'clock a.m. on April 17, 1981, in the City Commission Room in the City Hall. Mayor Daoyen presided with Commissioner Hattan present. Absent: Commissioner Naylor.

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

Commissioner Doyen requested the call for the Special Commission Meeting be entered, at length, in the minutes.

"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: Commission Meeting Room, City Hall, Concordia, Kansas

Date: April 17, 1981

Time: 9:00 a.m.

The object of said meeting will be as follows: The consideration and passage of an ordinance entitled: "AN ORDINANCE repealing Ordinance No. 2247 of the City of Concordia, Kansas, entitled 'AN ORDINANCE pursuant to the provisions of Article 12, Section 5 of the Constitution of the State of Kansas, providing for the calling of a special election in and for the City of Concordia, Kansas, at which to submit to the electors of said City the following question: 'Shall Charter Ordinance No. 11, entitled A CHARTER ORDINANCE exempting the City of Concordia, Kansas, from the provision of K.S.A. 79-5011, as amended; providing substitute and additional provisions on the same subject and authorizing a levy of taxes to create separate special funds for the purpose of paying public safety costs and street maintenance, improvement and reconstruction costs, take effect?'"

DATED this 16th day of April, 1981.

/s/ Lee W. Doyen  
Mayor

/s/ Gregory Hattan  
Commissioner

NOTICE OF SPECIAL CITY COMMISSION MEETING  
City of Concordia, Kansas

TO: Lee W. Doyen, Wilbur Naylor and Gregory Hattan, City Commissioners:

You are hereby notified that there will be a special meeting of the Board of Commissioners at 9:00 o'clock a.m., on the 17th day of April, 1981, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows: The consideration and passage of an ordinance entitled: "AN ORDINANCE repealing ordinance No. 2247 of the City of Concordia, Kansas, entitled 'AN ORDINANCE pursuant to the provisions of Article 12, Section 5 of the Constitution of the State of Kansas, providing for the calling of a special election in and for the City of Concordia, Kansas, at which to submit to the electors of said city the following question: 'Shall Charter Ordinance No. 11, entitled A CHARTER ORDINANCE exempting the City of Concordia, Kansas, from the provision of K.S.A. 79-5011, as amended; providing substitute and additional provisions on the same subject and authorizing a levy of taxes to create separate special funds for the purpose of paying public safety costs and street maintenance, improvement and reconstruction costs, take effect?'"

Witness my hand and the seal of said city this 16th day of April, 1981.

/s/ Paul L. Nordin  
City Clerk

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 Lee W. Doyen, Wilbur Naylor and Gregory Hattan, or to leave said notice at the usual place of residence of said Commissioners before 8:00 o'clock a.m. on the 17th day of April, 1981, and to make a return in writing of said service showing the manner of such service.

/s/ Paul L. Nordin  
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 5:00 o'clock p.m. on the 16th day of April, 1981, and:

1. Served the same personally on Commissioner Naylor, Commissioner Hattan and Mayor Doyen.

at 5:00 o'clock p.m. on the 16th day of April, 1981.

/s/ Paul L. Nordin  
City Clerk

ORDINANCE NO. 2249 (REPEAL OF ORDINANCE NO. 2247)

PASSED

City Manager Metzger explained that this special meeting had been called to consider the repeal of Ordinance No. 2247, which fixed the date of a special election to determine if Charter Ordinance No. 11 should take effect. Charter Ordinance No. 11, if passed, would exempt the City from the Kansas Tax Lid Law for the purposes of levying taxes in support of the Fire, Police and Street Departments.

Because a substantial increase in property taxes is likely to occur in order to finance the increased costs of state highways and schools, Metzger suggested the Commission reconsider its decision to hold the election, which, if successful, would also raise property taxes. After a brief discussion, motion was made by Commissioner Hattan, seconded by Mayor Doyen and duly carried by unanimous vote of two-thirds of the members-elect of the Commission that Ordinance No. 2249 entitled "AN ORDINANCE PURSUANT TO THE PROVISIONS OF ARTICLE 12, SECTION 5 OF THE CONSTITUTION OF THE STATE OF KANSAS, PROVIDING FOR THE CALLING OF A SPECIAL ELECTION IN AND FOR THE CITY OF CONCORDIA, KANSAS, AT WHICH TO SUBMIT TO THE ELECTORS OF SAID CITY THE FOLLOWING QUESTION: 'SHALL CHARTER ORDINANCE NO. 11, ENTITLED A CHARTER ORDINANCE EXEMPTING THE CITY OF CONCORDIA, KANSAS, FROM THE PROVISION OF K.S.A. 79-5011, AS AMENDED; PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT AND AUTHORIZING A LEVY OF TAXES TO CREATE SEPARATE SPECIAL FUNDS FOR THE PURPOSE OF PAYING PUBLIC SAFETY COSTS AND STREET MAINTENANCE, IMPROVEMENT AND RECONSTRUCTION COSTS, TAKE EFFECT?'" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Doyen and Hattan. "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. 2249.

Having no further business, motion was made by Commissioner Doyen, seconded by Commissioner Hattan, and duly carried that the Special Session of the City Commission adjourn.



Paul Nordin  
City Clerk

(Seal)

PN:ek

MINUTES OF THE REGULAR COMMISSION MEETING HELD MAY 6, 1981

The City Commission met in regular session in the City Commission Room in the City Hall at 4:00 o'clock p.m. on May 6, 1981. Mayor Doyen presided with Commissioners Naylor and Hattan present. Absent: None.

Other officers present: City Manager Metzger, City Attorney Retter, City Clerk Nordin, and Assistant Clerk Scott.

Visitors present: Brad Lowell from The Blade-Empire, Fred DeArmand from The Kansan, Marcie Welsh, Mr. and Mrs. Max Hupach, Geneva Cox, Denny Reinwald, Tom McDaniel, Mary E. Brownell, Lorene Fraser, Opal Racey, David Morrisette, Aaron Davidson and Alden A. Begnoche.

Minutes of the April 15 and April 17, 1981, meetings were approved as written.

SURETY BONDS - CITY MANAGER, CITY CLERK,  
ACCOUNTING CLERK & CLERK-STENOGRAPHER

APPROVED

The City Manager stated that according to City Ordinance, surety bonds are required for the office of City Manager in the amount of \$5,000, the office of City Clerk in the amount of \$10,000, the office of Clerk-Steno in the amount of \$1,000 and the office Accounting Clerk in the finance department in the amount of \$5,000. 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 to approve the surety bonds for the above mentioned offices.

ZONING CHANGE APPLICATION - LOUISE SAINDON

APPROVED

The City Manager stated that this was a public hearing to consider the proposed change in Zoning Ordinance No. 1829. This amendment had been deferred by the City Commission at their meeting held on April 15, 1981. The City Commission had been presented with a protest petition signed by over 20% of the property owners in the affected area and in order to approve the change in the zoning ordinance as recommended by the Planning Commission and City Staff, had to approve the proposed change by unanimous vote.

The questions that had been raised by the property owners in the area concerning traffic flow, congestion, access from the alley and architectural barriers to separate the commercial and residential uses were addressed by the Commission. Commissioner Hattan stated that the developer had assured the City that a six foot fence in the back of the property would be constructed. He had conferred with Police Chief Dennis Rohr and Director of Streets Tom Fisher and a bank of lights to make a protected left exit on U.S. 81 would be provided. A block wall on the east side of the property to meet fire code requirements, zoning requirements and Department of Transportation requirements would be constructed.

After a discussion from several property owners in the area, motion was made by Commissioner Hattan, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission to approve the zoning change as requested by Louise R. Saindon and directed the City Attorney to draft an ordinance effecting this change to be presented at the next regular city commission meeting.

PUBLIC HEARING - SPECIAL ASSESSMENTS (WL-80-3)

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 and installation of an eight-inch fire protection waterline located as follows: Beginning at the present 8" water line, approximately 555 feet east and 25 feet south of the NW corner of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 5, Township 6 South, Range 3 West of the 6th P.M., thence Southwesterly 270 feet to just west of the end of the curb and gutter on the Country Club Drive, which is within the corporate limits of the city of Concordia, Kansas, as authorized by a resolution of this governing body adopted October 1, 1980, and to hear written or oral objections thereto. The governing body determined 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 one in the proposed assessment district was 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.



ORDINANCE NO. 2250 (WL-80-3)PASSED

After this approval of the proposed assessments, the Commission then read and considered the ordinance which would levy the assessments for this project. This ordinance is 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 AND INSTALLATION OF AN 8-INCH FIRE PROTECTION WATER LINE LOCATED IN: BEGINNING AT THE PRESENT 8-INCH WATER LINE, APPROXIMATELY 555' EAST AND 25' SOUTH OF THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER (SE¼) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 5, TOWNSHIP 6 SOUTH, RANGE 3 WEST OF THE 6TH P.M., THENCE SOUTHWESTERLY 270' TO JUST WEST OF THE END OF THE CURB AND GUTTER ON THE COUNTRY CLUB DRIVE, IN THE CITY OF CONCORDIA, KANSAS". On roll call upon its passage, the following Commissioners voted "Yea": Naylor Doyen and Hattan. "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. 2250.

APPROPRIATION ORDINANCE NO. 8-8AAPPROVED

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

ORDINANCE NO. 2251 (CHANGE IN ZONING CLASSIFICATION)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 presented by the City Manager and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Doyen, Naylor and Hattan. "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. 2251.

RESOLUTION NO. 613(MODIFYING WATER RATES TO RURAL WATER DISTRICT)PASSED

The City Manager presented to the Commission a resolution modifying the rates for water delivered to Rural Water District No. 1, Cloud County, Kansas. The resolution provides for a 46 percent increase by modifying provisions B-1-a and B-1-b of the Water Purchase Contract dated November 5, 1975, between the City of Concordia and the Rural Water District No. 1 of Cloud County, Kansas, to read as follows:

- a. \$244.00 for the first 33,333 cubic feet (250,000 gallons), which amount shall also be the minimum.
- b. \$0.73 cents per 100 cubic feet for water in excess of 33,333 cubic feet.

After a short discussion, motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the City Commission that Resolution No. 613 be adopted, thus providing that said water rate increase take effect.

APPROVAL OF FINAL COSTS AND HEARING DATE SET SS-79-4APPROVED

The City Manager presented to the governing body the following itemized statement of the actual cost of:

The construction of a sanitary sewer system beginning at the existing sanitary sewer line north of the Northeast corner of Lot 26, Block 2, thence southerly near the east line of said Lot 26, and near the east line of Lot 1, Block 3, to the Northeast corner of Lot 15, Block 3, thence southeasterly parallel to the east line of Lot 15, Block 3, to the northeast corner of Lot 14, Block 3, all in Lost Creek Hills Addition to the City of Concordia, Cloud County, Kansas,

as authorized and ordered done by a resolution of the governing body adopted September 3, 1980:

<u>PROJECT ITEM</u>	<u>DISTRICT COST</u>	<u>CITY-AT-LARGE COST</u>
Construction Contract	\$ 9,426.80	-0-
Engineering Services	1,209.00	-0-
Administration	556.64	-0-
Interim Financing	1,694.96	-0-
Total	\$ 13,384.40	-0-
Percentage of Cost	100%	0%

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 6, 1981 (CONT.)

The statement was considered by the governing body and on a motion by Commissioner Hattan, seconded by Commissioner Naylor, and unanimously carried, the total cost of the improvement was determined by the governing body to be \$13,384.40. 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 3, 1980, 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 Hattan, seconded by Commissioner Naylor, and unanimously carried, this governing body determined to meet and consider the proposed assessments on the 20th day of May, 1981, 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.

LICENSE APPLICATIONS FOR RETAIL SALE OF CEREAL MALT BEVERAGESAPPROVED

The City Manager explained that two applications have been filed with the City Clerk for cereal malt beverage licenses. The first was filed by Carol Taylor, lessee of the Broadway Lounge, for a license to sell cereal malt beverages for consumption on the premises. The second was filed by Paul B. McGannon, manager of the Apco Service Station located at 13th and Lincoln, for a license to sell cereal malt beverages in original and upopened containers and not for consumption on the premises. Both proposed licenses have met all legal requirements and the City Manager recommended approval of the licenses. A motion was made by Commissioner Doyen and seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that the cereal malt beverage licenses be approved.

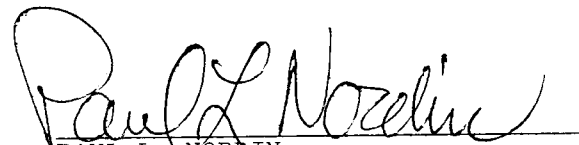
ORDINANCE NO. 2252(DESIGNATION OF CITY MANAGER AS AUTHORIZED REPRESENTATIVE)PASSED

An ordinance entitled "AN ORDINANCE DESIGNATING THE CITY MANAGER OF THE CITY OF CONCORDIA, KANSAS, AS THE AUTHORIZED REPRESENTATIVE OF SAID CITY FOR PURPOSES OR EXECUTION OF DOCUMENTS RELATING TO THE CITY'S PARTICIPATION IN THE SMALL CITY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ADMINISTERED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT" was presented by the City Manager and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Doyen, Naylor and Hattan. "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. 2252.

STUDY SESSIONDATE SET

The City Manager and City Commission established Thursday, May 14, 1981, 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 Hattan and duly carried that this meeting of the City Commission adjourn.

  
PAUL L. NORDIN  
CITY CLERK

(Seal)

PLN:ek

The City Commission met in regular session in the City Commission Room in the City Hall at 4:00 o'clock p.m. on May 20, 1981. Mayor Doyen presided with Commissioners Naylor and Hattan present. Absent: None.

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

Visitors present: Brad Lowell from The Blade-Empire, Fred DeArmond from The Kansan, Marcy Welsh, Fred Dunshie, Merle Smith, Harold Swenson, Boyd Dochow and Vane Schierbaum.

Minutes of the May 6, 1981, meeting were approved as written.

APRIL FINANCIAL STATEMENTS

ORDERED PLACED ON FILE

The City Commission acknowledged receipt and review of the April financial statements and ordered them placed on file.

PUBLIC HEARING - SPECIAL ASSESSMENTS SS-79-4

DEFERRED

The City Manager explained that the public hearing scheduled for today for the Lost Creek Hills Sanitary Sewer Project (SS-79-4) needed to be deferred until June 3, 1981. Notice of the public hearing was placed with the official city newspaper but was not published in time to allow ten days advance notice of the public hearing to consider the proposed assessments for this project.

After a short 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 city that this public hearing be deferred until June 3, 1981.

APPROPRIATION ORDINANCE NO. 9

APPROVED

Appropriation ordinance No. 9 was passed according to law.

ORDINANCE NO. 2253

PASSED

ZONING ORDINANCE AMENDMENT

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 presented by the City Manager and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Doyen, Naylor and Hattan. "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. 2253.

RESOLUTION NO. 614

PASSED

(CALLING SPECIAL ELECTION FOR ½CENT SALES TAX PROPOSITION)

The City Manager presented to the Commission a resolution to submit to the qualified electors of the city the proposition of levying a one-half of one percent (0.5%) retailers' sales tax in the City of Concordia, Kansas. The City Manager stated that the ½ cent sales tax appeared to be the only source of revenue that would generate enough income to allow the City to continue to provide the present level of services, other than the property tax. The commissioners each expressed their desire to hold down property tax as much as possible and Commissioner Doyen stated the sales tax option appears to have increased support in the community. Commissioner Hattan stated that many citizens appear to prefer a ½ cent sales tax rather than increased property tax and he presented a letter signed by over 50 Concordia residents stating that they would support a ½ cent sales tax if it is used to relieve the property tax burden. Commissioner Naylor stated that he felt the ½ cent sales tax would not drive business away from Concordia and cited an example of a city near Wichita which enacted the ½ cent sales tax and had no adverse effects even though Wichita was very close and did not have the extra sales tax. Several individuals in attendance at the meeting also spoke in favor of putting the sales tax on the ballot. After this discussion, motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the city commission that Resolution No. 614 be adopted, thus providing that a special election be held to determine if a ½ of one percent retailers' sales tax should be levied in the City of Concordia.

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 20, 1981 (CONT.)

RESOLUTION NO. 615  
(DECLARATION OF INTENTION)PASSED

The City Manager presented to the Commission a resolution which declares the Commissions intent that for purposes of those budget items for which levy amounts are expressly limited by the provisions of K.S.A. 79-5001, et seq, as amended, that no budget requiring levies for such funds for the budget year 1982 in excess of the levy requirements for such funds for the budget year 1981 shall be approved if the  $\frac{1}{2}$  cent sales tax is approved at the June 30, 1981, special election. 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 City Commission that Resolution No. 615 be adopted, thus providing the above mentioned assurances.

AUTHORIZATION TO UPDATE CITY COMPREHENSIVE PLANAPPROVED

The City Manager presented to the Commission a recommendation from the City Planning Commission that the City Manager be authorized to update the city's ten year comprehensive plan. The current ten year comprehensive plan is out of date and in need of revision according to the report made by the Planning Commission. After a brief discussion, motion was made by Commission Naylor, seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the City Commission that the City Manager be given the approval to begin to update the city's comprehensive plan.

STUDY SESSIONDATE SET

The City Manager and City Commissioners established Thursday, May 28, 1981, at 12:15 o'clock p.m. as a study session.

There being no further business, motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried that this meeting of the City Commission adjourn.



Paul L. Nordin  
City Clerk

(Seal)

PLN:ek

The City Commission met in regular session in the City Commission Room in the City Hall at 4:00 o'clock p.m. on June 3, 1981. Mayor Doyen presided with Commissioners Naylor and Hattan present. Absent: None.

Other officers present: City Clerk Nordin.

Visitors present: Fred DeArmond from The Kansan.

PUBLIC HEARING - SPECIAL ASSESSMENTS (SS-79-4)

HELD

The City Clerk 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 beginning at the existing sanitary sewer line north of the Northeast corner of Lot 26, Block 2, thence southerly near the east line of said Lot 26, and near the east line of Lot 1, Block 3, to the Northeast corner of Lot 15, Block 3, thence southeasterly parallel to the east line of Lot 15, Block 3, to the Northeast corner of Lot 14, Block 3, all in Lost Creek Hills Addition which is within the corporate limits of the city of Concordia, Kansas, as authorized by a resolution of this governing body adopted September 3, 1980, and to hear written or oral objections thereto. The governing body determined 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 one in the proposed assessment district was 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.

ORDINANCE NO. 2254 (SS-79-4)

PASSED

After this approval of the proposed assessments the Commission then read and considered the ordinance which would levy the assessments for this project. This ordinance is 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 CONSTRUCTION OF A SANITARY SEWER SYSTEM BEGINNING AT THE EXISTING SANITARY SEWER LINE NORTH OF THE NORTHEAST CORNER OF LOT 26, BLOCK 2, THENCE SOUTHERLY NEAR THE EAST LINE OF SAID LOT 26, AND NEAR THE EAST LINE OF LOT 1, BLOCK 3, TO THE NORTHEAST CORNER OF LOT 15, BLOCK 3 THENCE SOUTHEASTERLY PARALLEL TO THE EAST LINE OF LOT 15, BLOCK 3, TO THE NORTHEAST CORNER OF LOT 14, BLOCK 3, ALL IN LOST CREEK HILLS ADDITION IN THE CITY OF CONCORDIA, KANSAS." On roll call upon its passage the following Commissioners voted "Yea": Naylor, Doyen and Hattan. "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. 2254.

RESOLUTION NO. 616 (FUNDING AGREEMENT)

PASSED

The City Clerk presented to the Commission a resolution authorizing the execution of a funding agreement between the City of Concordia and the Department of Housing and Urban Development for a Comprehensive Small Cities Community Development Block Grant. This grant was approved for the city in the amount of \$530,000.00. The grant covers an 18 month program period beginning June 15, 1981. Programs funded under the grant include interim assistance, acquisition and demolition, storm sewer construction, water improvements and housing rehabilitation. For the City to proceed with the use of these funds the City Commission must authorize execution of the funding agreement.

After a short discussion, motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 616 be adopted, thus providing that the funding agreement be completed and the city then able to have the grant monies available as of June 15, 1981.

RESOLUTION NO. 617  
(AUTHORIZATION OF EXECUTION OF REAL ESTATE OPTION)

PASSED

The City Clerk presented to the City Commission a resolution authorizing the execution of real estate option with the Farmers Home Administration to sell property acquired by the Community Development Block Grant Program. To meet the goal of the Community Development Block Grant program to provide housing for low to moderate income individuals two lots were purchased by the City in December of 1980. One of these lots, described as follows:

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 3, 1981 (CONT.)

RESOLUTION NO. 617 (CONT.)

The North eighty (80) feet of Lots Five, Six and Seven, Block 46, and the South eight (8) feet of the vacated alley in Block 46 adjoining said Lots Five, Six and Seven on the north, all situated in Concordia, Cloud County, Kansas, subject only to easements, restrictions and reservations of record.

has an individual interested in building a single family home on it using an interest credit program (the "502" program) of the Farmers Home Administration. The City Clerk advised that to facilitate the goals of the Block Grant program the City Commission should agree to take the first step necessary and grant this site to the individual purchaser so the new housing may be constructed.

After a short discussion, motion was made by Commissioner Hattan and seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the City Commission that Resolution No. 617 be adopted, thus providing that said authorization be given to the mayor and City Clerk to execute the necessary real estate option.

RESOLUTION NO. 618  
(AUTHORIZATION OF EXECUTION OF REAL ESTATE OPTION)

PASSED

The City Clerk presented to the City Commission another resolution authorizing the execution of a second real estate option with the Farmers Home Administration to sell the second parcel of property acquired by the Community Development Block Grant Program. The second of these lots is described as follows:

The South Fifty-two (52') of Lots Five, Six and Seven, in Block Forty-Six (46); and the North thirty-six (36) feet of vacated Sixteenth Street lying South of Lots Five, Six and Seven in Block Forty-six, all in the City of Concordia, Cloud County, Kansas.

This lot also has an individual interested in building a single family home on it using an interest credit program (the "502" program) of the Farmers Home Administration. The City Clerk advised that to facilitate the goals of the Block Grant program the City Commission should agree to take the first step necessary and grant this site to the individual purchaser so the new housing may be constructed.

After a short discussion, motion was made by Commissioner Hattan and seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 618 be adopted, thus providing that said authorization be given the mayor and City Clerk to execute the necessary real estate option.

SETTING DATE FOR PUBLIC HEARING

DATE SET

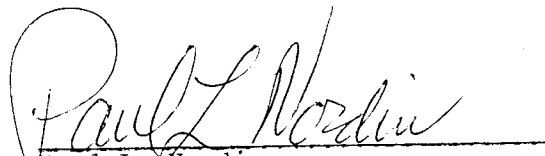
At the last Commission meeting the scheduling of a public meeting to present facts and information about the  $\frac{1}{2}$  cent sales tax to the general public. After a brief discussion, motion was made by Commissioner Hattan and seconded by Commissioner Naylor and duly carried by the entire members of the Commission that the public hearing be scheduled for 7:30 p.m. on June 16th at the American Legion Hall.

STUDY SESSION

DATE SET

The City Clerk and the City Commission established Thursday, June 11, 1981, at 7:00 o'clock p.m. as a study session.

There being no further business, motion was made by Commissioner Hattan and seconded by Commissioner Naylor and duly carried that this meeting of the City Commission adjourn.

  
 Paul L. Nordin  
 City Clerk

The City Commission met in regular session in the City Commission Room in the City Hall at 4:00 o'clock p.m. on June 17, 1981. Commissioner Naylor presided with Commissioner Hattan present. Absent: Mayor Doyen.

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

Visitors present: Fred DeArmond from the Kansan, Brad Lowell from the Blade/Empire and Mark Johnson.

Minutes of the June 3, 1981, meeting were approved as written.

APPROPRIATION ORDINANCE #11

APPROVED

Appropriation Ordinance #11 was passed according to law.

AMENDMENT TO THE CITIZEN'S ADVISORY COMMITTEE  
GOALS AND OBJECTIVES

APPROVED

In May of 1979, the Goals and Objectives for the housing rehabilitation program were developed by the Citizen's Advisory Committee and approved by the City Commission. Periodically, it has been necessary to amend sections of the Goals and Objectives to facilitate administration of this Community Development Block Grant activity. The Advisory Committee is now recommending that Section II. D., be revised to provide that the maximum grant amount for 1981 Community Development Block Grant housing rehabilitation projects be increased by \$1,000 per grant from \$5,000 to \$6,000. This change will not affect housing rehabilitation projects funded with fiscal year 1980 Community Development Block Grant monies. The principal reason for increasing the maximum grant amount is the increased cost of materials and labor experienced on these projects in the last calendar year. After a short discussion, motion was made by Commissioner Naylor and seconded by Commissioner Hattan and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission that the maximum grant amount be increased by \$1,000 from \$5,000 to \$6,000 for 1981 Community Development Block Grant Housing Rehabilitation projects.

AUTHORIZATION TO EXECUTE FIXED BASE OPERATORS  
LEASE AGREEMENT

APPROVED

City Manager Metzger explained that for two years the city, through the Airport Advisory Board, has attempted to enter into a lease arrangement with a qualified individual to serve as a Fixed Base Operator at Blosser Municipal Airport. The Fixed Base Operator will operate a flight training school, perform aircraft maintenance and repair, provide aircraft charter flights and passenger rides, sell and rent aircraft, offer crop spraying, sell aircraft gasoline and oil and store airplanes. The city in turn would provide to the Fixed Base Operator the use of all airport offices and hangar buildings except for that portion of those buildings which are occupied by the Public Grounds Department. The Fixed Base Operator will also be responsible for the gasoline service area and equipment. All other areas of the airport will continue under city control. The Airport Advisory Board is recommending the City Commission enter into a lease agreement with Fisher Aviation of McPherson, Kansas, to provide this service. The City Manager further explained that during the initial term of the lease the leasee will not be expected to pay rent. The city will also furnish utilities without charge to leasee during the same period. The Fixed Base Operator would provide no compensation to the city and nor would there be any subsidy from the city to the Fixed Base Operator. After a short discussion, motion was made by Commissioner Naylor and seconded by Commissioner Hattan and duly carried by the affirmative vote of two-thirds of the members-elect of the City Commission that the Mayor and City Clerk be given the authority and approval to enter into a lease arrangement with Fisher Aviation of McPherson to serve as the Fixed Base Operator for the City Municipal Airport.

LICENSE APPLICATION FOR RETAIL SALE OF CEREAL MALT BEVERAGE

APPROVED

The City Manager explained that one application had been filed with the City Clerk for a Cereal Malt Beverage license. This license was filed by Michael Paul Lesperance on behalf of the Old Opera House Mall Company, 105 E. Sixth Street. This is a license to sell cereal malt beverages for consumption on the premises. The licensee has met all the requirements and the City Manager recommended approval of the license. A motion was made by Commissioner Hattan and seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the members-elect of the City Commission that the cereal malt beverage license be approved.

420

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 1, 1981 (Cont.)

BID AWARD (ST-81-1) Cont.

The bids were as follows:

<u>NAME</u>	<u>BID</u>
Smokey Hill Construction Inc.	\$ 55,257.30
Logan Construction	63,714.93
Hall Brothers Construction	66,612.49

After a short discussion, motion was made by Commissioner Hattan, seconded by Commission Naylor and carried by the affirmative vote of the entire members-elect of the Commission that the apparent low bid of Smokey Hill Construction, Inc. be accepted.

APPOINTMENT TO PLANNING COMMISSION

KEN GOFF

City Manager presented to the Commission a recommendation forwarded to the City Commission from the Planning Commission to appoint Ken Goff to fill a vacancy on the Planning Commission Board, for a term running through November 1, 1983. Mr. Goff has been contacted and agreed to serve on the Planning Commission. He will be one of two representatives from the rural area within three miles of the City of Concordia as required by State statute. After a brief discussion, motion was made by Commissioner Doyen and seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the Commission that the appointment of Ken Goff to the Planning Commission be approved.

DANA BREWER

PRIDE COMMITTEE

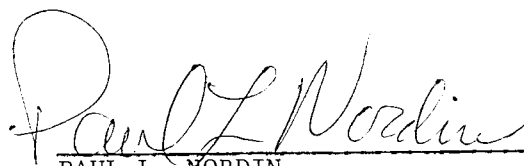
Dana Brewer was present to thank the Commissioners, City Manager and the Department Heads for the help they provided him in filling out various applications as necessary for the City to be named a Pride Pacemaker Community. Mr. Brewer explained that in order to be a Pacemaker Community the city needed to qualify in twenty-two sub categories of eight blue ribbon categories of the Pride Program. He also explained that the Pacemaker designation would be good for seven to eight years and at that time the community would have to again have to make application for the Pacemaker designation. Mr. Brewer also told the Commission that Governor Carlin would be here sometime in September to make the Pacemaker presentation to the community at a banquet. Mr. Brewer felt that the Pride Program and the Pacemaker designation would help the City of Concordia promote and attract new industry. Mayor Doyen then thanked Mr. Brewer on the work he had done and the Commissioners joined in thanking Mr. Brewer for the work he and the Pride Committee had performed.

STUDY SESSION

DATE SET

The City Commission established July 19, 1981, at 12:15 o'clock p.m. as a study session.

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

  
PAUL L. NORDIN  
CITY CLERK

(Seal)

PLN:ek



The City Commission met in regular session in the City Commission Room at City Hall at 4:00 o'clock p.m. on July 15, 1981. Commissioner Hattan presided with Commissioner Naylor present. Absent: Mayor Doyen.

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

Visitors present: Fred DeArmond from The Kansan, Brad Lowell from the Blade/Empire and Rolland Hood.

Minutes of July 1, 1981, meeting were approved as written.

#### SURETY BONDS - CITY TREASURER

APPROVED

City Manager explained that Section 2-52 of the Concordia Code requires an official bond of \$20,000 for the City Treasurer. Section 2-45 of the Code requires that approval as to form by the City Attorney and to sufficiency by the City Commission. After a brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission that the bond for the City Treasurer be accepted as sufficient and ordered placed on file.

#### QUARTERLY INVESTMENT REPORT

ORDERED PLACED ON FILE

"Ordinance No. 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, 1981, through June 30, 1981.

<u>Amount</u>	<u>Fund</u>	<u>Due Date</u>	<u>Interest Rate %</u>	<u>Interest Received</u>	<u>Original Term</u>
\$ 27,000.00	Misc.	4-01-81	5½	\$ 1,665.45	Passbook
100,000.00	Misc.	4-22-81	11.758	966.41	30 Days
100,000.00	P.M.; Misc.	4-22-81	12.996	1,068.16	30 Days
111,000.00	W/S; Misc.	5-19-81	13.496	2,544.64	60 Days
100,200.00	P.M.; W/S	5-22-81	12.553	1,053.49	30 Days
50,000.00	Misc.	6-18-81	13.456	276.49	15 Days
111,000.00	Misc; W/S	6-18-81	15.034	1,371.59	30 Days
165,000.00	Misc; W/S	6-23-81	13.053	3,540.40	60 Days
TOTAL INTEREST RECEIVED -- Second Quarter				\$12,486.63	
TOTAL INTEREST RECEIVED -- First Quarter				10,651.30	
				\$23,137.93	

Respectfully submitted,

s/s Carl M. Metzger  
City Manager"

"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>Money Market Certificates</u>					
13,385.00	Misc.	7-17-81	14.478	1st Fed. Savings	182 Days
<u>Re-purchase Agreements</u>					
30,000.00	Misc.	7-2-81	13.456	1st Bank & Trust	29 Days
50,000.00	W/S	7-3-81	11.451	1st Bank & Trust	15 Days
50,000.00	Misc.	7-3-81	11.451	Cloud County Bank	15 Days
30,000.00	W/S	7-10-81	12.982	1st Bank & Trust	29 Days
<u>Passbook</u>					
10,000.00	Misc.	--	5½	Cloud County Bank	Passbook
4,390.27	Water Deposit	--	5	Cloud County Bank	Passbook
<u>Certificates of Deposit</u>					
100,000.00	Misc.	7-22-81	13.553	Cloud County Bank	90 Days
145,000.00	Misc; W/S	7-23-81	13.337	Cloud County Bank	30 Days
17,915.50	Cem. End.	9-30-81	12	Peoples Savings	30 Months
17,915.50	Cem. End.	10- 1-81	12	1st Fed. Savings	30 Months

468,606.27

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 15, 1981 (con't)

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

s/s Carl M. Metzger  
City Manager

s/s Paul Nordin  
City Clerk

s/s Verna Scott  
City Treasurer

APPROPRIATION ORDINANCE NO. 13

APPROVED

Appropriation ordinance No. 13 was passed according to law.

ORDINANCE NO. 2256

RETAILER SALES TAX IN THE AMOUNT OF ½ OF 1% WITHIN THE CITY OF CONCORDIA

PASSED

An ordinance entitled

"An ordinance levying a retailers sales tax in the amount of ½ of 1% (0.5%) within the City of Concordia, Kansas, effective September 1, 1981" was presented by the City Manager and considered by the Commission. On roll call upon its passage the following Commissioners voted "Yea": Naylor and Hattan. "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 2256.

CHANGE ORDER

PROJECT CD-S-81-1

APPROVED

The City Manager explained that bids were received on June 24, 1981, by the City Clerk for the construction of public improvement project CD-S-81-1. On July 1, 1981, the low bid of Smoky Hill, Inc. was accepted by the City Commission. This project will extend storm sewer from the point where it now terminates under the viaduct on 3rd St. West to Broadway and will extend the storm sewer east between Archer and Valley, the streets parallel to the North city limits at that location, it will extend the storm sewer north 50' parallel to Valley if extended.

This project is funded under the 1981 Community Development Block Grant Program. The amount budgeted for storm sewer construction is \$150,000. There is sufficient money remaining in the project budget to provide for additional drainage improvements. These improvements would include the installation of two drop inlets on First Street between Olive and Archer and the installation of a drop inlet at the intersection of Thirds and Valley and the installation of a 24" storm sewer from Valley to Archer. The additional improvements and extensions recommended tie into or intersect existing storm sewer improvements made in Phase 1 and Phase 2 of the Comprehensive Storm Sewer Plan for the area. These improvements are needed to eliminate areas of standing water that previous storm sewer construction did not remedy. Representatives of Smoky Hill, Inc. have indicated a willingness to make these improvements using unit quantity costs bid for the above referenced bid. A new unit quantity bid will be required for the 24" storm sewer line.

After a brief discussion, motion was made by Commissioner Hattan and seconded by Commissioner Naylor and duly approved by two-thirds of the members-elect of the Commission that the City Manager be granted authorization to negotiate the above mentioned change order for Project No. CD-S-81-1.

APPOINTMENT TO PLANNING COMMISSION

GENE LEONARD

The City Manager presented to the Commission a recommendation forwarded to the City Commission from the Planning Commission to appoint Gene Leonard to fill a vacancy created by the resignation of Mr. Robert Hunter on the Planning Commission for a term running through November 1, 1983. Mr. Leonard has been contacted and has agreed to serve on the Board. After a brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner Hattan and carried by the affirmative vote of two-thirds of the entire members-elect of the Commission that the appointment of Gene Leonard to the Planning Commission be approved.

AUTHORIZATION FOR THE MAYOR AND CITY CLERK TO  
PRESENT A PETITION FOR VACATION OF THE ALLEY IN BLOCK 46  
OF THE CITY OF CONCORDIA TO THE COUNTY COMMISSION

APPROVED

The City Attorney explained to the City Commissioners that the City by its ordinance No. 2096 passed August 2, 1978, and published on August 4, 1978, in the official newspaper vacated the alley in Block 46 in the City of Concordia, Cloud County, Kansas. The City Attorney explained that by passing the said ordinance that the City did in fact vacate the aforementioned alley. However, it is now necessary that the county vacate the same alley. Since the City is in fact the owner of the lots adjacent to the alley (these lots have been purchased by the City for the Community Development Block Grant Program) it is necessary for the City to petition the county to vacate the same alley in Block 46 of the City of Concordia, Cloud County, Kansas.

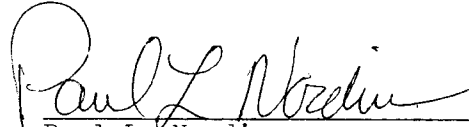
Therefore, it is now necessary that the Commission give authorization to the City Clerk and the Mayor to petition to vacate the aforementioned alley in Block 46 of the City of Concordia, Cloud County, Kansas. After a brief discussion, motion was made by Commissioner Hattan and seconded by Commissioner Naylor and duly approved by the affirmative vote of two-thirds of the members-elect of the Commission that the above mentioned authorization be given.

AUDIENCE WITH VISITORS

ROLLAND HOOD

Rolland Hood was present to address the Commission on a number of matters of personal concern to him.

There being no further business, motion was made by Commissioner Hattan, seconded by Commissioner Naylor and duly carried to adjourn the Commission meeting to 12:15 o'clock p.m. on July 23, 1981, to conduct further business to the Commission.

  
\_\_\_\_\_  
Paul L. Nordin  
City Clerk

(Seal)

PLN:vj

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JULY 23, 1981

The City Commission met in adjourned session at 12:15 o'clock p.m. on July 23, 1981 in the City Commission Room at City Hall. Mayor Doyen presided with Commissioners Naylor and Hattan present. Absent: None.

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

Visitors present: Francis Begnoche, Darlene Hepperly, Dan Slavin, Dave Boll, Cathy Boll, David Conlin, John L. Sullivan, Lorene Baxa, Leon Gennette.

MEETING WITH LIBRARY BOARD

HELD

Several members of the Library Board were present at the meeting and spoke with the Commission concerning the 1982 Library budget. Lorene Baxa spoke for the Board and briefly explained their budget requests. City Manager Metzger explained that the Library Board was allowed, under state statute, to levy a total of 3 mills, and further, the Library Board was anticipating levying the entire 3 mills. This levy would bring approximately \$54,300 to the Library Board for 1982. Lorene Baxa explained that approximately \$6,000 was received by the Library each year from sources other than property and motor vehicle tax. John L. Sullivan, another member of the Library Board, explained that the Board had made many attempts to decrease utility costs and maintenance costs for the Library. Mayor Doyen expressed his thanks to the members of the Library Board that were present and thanked them for the time that they had taken to present the information concerning the Library Board budget for 1982.

AUDIENCE WITH REPRESENTATIVES OF JAYCEES & UNITED WAY

Dan Slavin was present to explain a proposed Concordia Fun Day celebration that the JayCees and United Way wish to hold at the City Fairgrounds. The date for this proposed activity is August 22, 1981. The purpose of this activity is to raise money for the United Way and the JayCees, by holding various games for children and adults. Money would also be raised by selling various beverages including beer. After a brief discussion, Commissioners determined that it would be proper for representatives of the United Way and JayCees to meet with City officials to discuss this matter further.

MEETING OF THE RECREATION COMMISSION

HELD

City Manager briefly explained the Recreation Commissions proposed 1982 budget. He explained that approximately \$24,582.00 would be raised by a mill levy for the Recreation Commission. The City Manager stated that if the Recreation Commission is not able to find another source of revenue the services the Recreation Commission offer are going to have to be limited or curtailed. Commissioner Hattan suggested that user fees be considered as an additional source of revenue.

MEETING WITH BROWN GRAND OPERA HOUSE REPRESENTATIVE

HELD

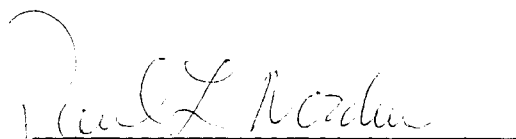
Leon Gennette was present to explain to the Commissioners the proposed budget for the Brown Grand Opera House for 1982. Many issues were discussed and each of the Commissioners expressed their views on topics relating to the Brown Grand. The main idea discussed was establishing some kind of tour fee in order to increase revenue for the theater.

STUDY SESSION

DATE SET

The City Manager and the City Commission established Thursday evening July 23, 1981, at 5:00 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 this meeting of the City Commission adjourn until Thursday, July 30, 1981, at 12:15 o'clock p.m.



Paul L. Nordin  
City Clerk

The City Commission met in adjourned session on July 30, 1981, at 12:15 o'clock p.m. in the City Commission Room at City Hall. Commissioner Naylor presided with Commissioner Hattan present. Absent: Mayor Doyen.

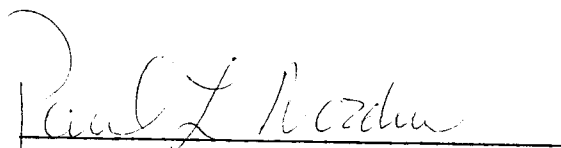
Other officers present: City Manager Metzger and City Clerk Nordin.

RESOLUTION NO. 619 (TEMPORARY NOTES: ST-81-1)

APPROVED

City Manager presented to the Commission a resolution authorizing the issuance of \$86,839.50 in temporary notes of the City of Concordia at an interest rate of 9.75% per annum to provide for the cost of the improvement of curbing, surfacing and grading of Sunset Trail from the apparent south line of Lot 13, Block 3, Lost Creek Hills Addition to the City of Concordia, Cloud County, Kansas, if extended, would intersect the apparent west side of Sunset Trail, as platted, to the apparent north side of Sunset Trail and Crescent Lane, as platted, and also Crescent Lane from the apparent East side of the intersection of Sunset Trail and Crescent Lane, as platted, to the apparent south line of Lot 4, Block 3, in said Lost Creek Hills Addition, where said line, if extended, would join with the apparent south line of Lot 21, Block 2; all in Lost Creek Hills Addition of the City of Concordia, Kansas. These temporary notes were authorized by Ordinance No. 2255 of the City of Concordia. After a brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission that Resolution No. 619 authorizing the issuance of said temporary notes be adopted.

There being no further business, motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried that this City Commission meeting adjourn.



Paul L. Nordin  
City Clerk

(Seal)

PLN:scb

1979 ANNUAL AUDITORDERED PLACED ON FILE

City Manager Metzger explained to the Commissioners that 1980 audit had been completed and submitted by the accounting firm of Townsdin and Uri. After a brief discussion the Commissioners ordered that the 1980 Annual Audit be place on file.

BID AWARD (CDBG 1980 FISCAL YEAR AUDIT)ANDERSON & ELDRIDGE

The City Manager stated audit proposals for auditing the financial and compliance requirements of the City's Community Development Block Grant program for fiscal year 1980 were received by the City Clerk on August 3, 1981. An audit is required by the Housing and Urban Development Department on this program no less than every two years or the completion of program periods. The audit must be conducted in compliance with the HUD audit guides standards for the Community Development Block Grant programs. The following bids were received:

<u>BIDDER</u>	<u>AMOUNT</u>
Kennedy & Coe, Concordia, Kansas	\$2,100.00
Anderson & Eldridge, Topeka, Kansas	\$ 850.00
W. Rex Woods, Belleville, Kansas	\$1,160.00
Ralph C. Johnson, Kansas City, Missouri	\$2,500.00
Magnason & Ahlvers, Lindsborg, Kansas	\$2,050.00

The City Manager stated that staff recommendation was for acceptance of the bid proposal of Anderson & Eldridge in the amount of \$850.00. 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 a contract be awarded to Anderson & Eldridge, Certified Public Accounting firm of Topeka, Kansas in the amount of \$850.00 for the completion of the 1980 fiscal year financial and compliance audit for the Community Development Block Grant program.

BID AWARD CITY FINANCIAL AUDIT 1981KENNEDY & COE

The City Manager stated that proposals for the financial compliance audit for the City's accounting and financial management system for calander year 1981 were received on July 31, 1981. The audit is to include financial compliance coverages for all accounts and funds of the City including financial compliance requirements with Federal Revenue Sharing Funds and a financial review of the Community Development Block Grant program. The following bids were received:

<u>BIDDER</u>	<u>AMOUNT</u>
Magnason & Ahlvers, Lindsborg, Kansas	\$7,250.00
Kennedy & Coe, Concordia, Kansas	\$5,600.00
Anderson & Eldridge, Topeka, Kansas	\$6,000.00
Varney & Associates, Manhattan, Kansas	\$9,200.00
W. Rex Woods, Belleville, Kansas	\$6,800.00
Townsdin & Uri, Concordia, Kansas	\$6,400.00

The City Manager stated that City staff recommends the award of the audit contract for the 1981 City of Concordia accounts to go to the firm of Kennedy & Coe, Concordia in the amount of \$5,600.00. After a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Doyen, and duly carried by the affirmative vote of the entire members-elect of the Commission that the contract be awarded to Kennedy & Coe of Concordia in the amount of \$5,600.00 for the 1981 City audit.

APPROVAL OF PURCHASE CONTRACTHOBBIE CONSTRUCTION CO.

Mike Peterson, Administrative Assistant, presented to the Commission a plan for the expansion of housing for low and moderate income persons. This plan includes purchase of two lots located west of the Nazareth Convent on State Street and are presently owned by Hobbie Construction Co. The land is purchased with money from the Community Development Block Grant and granted to persons who meet low and moderate income criteria. Housing built on this property must be approved and financed by the Farmers Home and Administration. The lots were appraised at \$5,250.00 each. However, the actual selling price is recommended to be \$4,887.50. The reason for the difference between the appraised value and the actual selling cost, is to pay for a sewer hookup for these two lots into the existing sanitary sewer system. After a short discussion, motion was made by Commissioner Hattan, seconded by Commissioner Doyen, and duly approved by the affirmative vote of the entire members-elect of the Commission that the City Attorney draw up a contract according to the terms discussed above with Hobbie Construction Co. and that the Mayor and City Clerk be authorized to execute the contract.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 5, 1981 (cont'd)

RESOLUTION NO. 620  
(AUTHORIZATION OF THE EXECUTION OF REAL ESTATE OPTION) PASSED

The City Manager presented to the City Commission a resolution authorizing the execution of a real estate option with a qualified individual to sell property acquired by the Community Development Block Grant program. This property is described as follows: The South Seventy-Six (76) feet of Lots two (2), three (3) and four (4) in Block 46 and the North twelve (12) feet of the vacated alley in said Block 46, and lying South of said Lots 2, 3, and 4, in the City of Concordia, Cloud County, Kansas. The City Manager advised that to facilitate the goals of the Community Development Block Grant program the City Commission should agree to take this first necessary step and grant this site to the individual purchaser so the new housing may be constructed. It should be noted that this lot is one of the two lots that will be purchased from Gary Hobbie as mentioned above.

After a short 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 City Commission that Resolution No. 620 be adopted, thus providing that said authorization be given to the Mayor and City Clerk to execute the necessary real estate option.

RESOLUTION NO. 621  
(AUTHORIZATION OF THE EXECUTION OF REAL ESTATE OPTION) PASSED

The City Manager presented to the City Commission another resolution authorizing the execution of a second real estate option with an individual for a lot previously acquired by the Community Development Block Grant program. This lot is described as follows: The North Eighty feet (80') of Lots five (5), six (6), and seven (7), Block forty-six (46), and the South eight (8) feet of the vacated alley adjoining said lots on the north thereof, in the City of Concordia, Cloud County Kansas.

After a short discussion, motion was made by Commissioner Naylor, seconded by Commissioner Hattan, and duly carried by the affirmative vote of the entire members-elect of the City Commission that the City Clerk and the Mayor be authorized to execute the necessary real estate option.

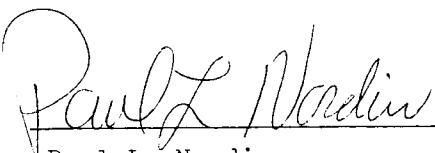
APPOINTMENTS TO THE CITIZENS ADVISORY COMMITTEE LORENE FRASER, BETH CHARBONNEAU, &  
LOUIS CHRISTENSON

The City Manager presented to the Commission recommendations forwarded to the City Commission from the Citizens Advisory Committee to appoint Lorene Fraser, Beth Charbonneau, and Louis Christenson to fill vacant terms on the Citizens Advisory Committee running through February 1, 1983. Each of these individuals has been contacted, and agreed to serve. After a brief discussion 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 above appointments to the Citizens Advisory Committee be approved.

STUDY SESSIONS DATES SET

The City Commission established August 6, 1981 at 12:15 o'clock p.m. and August 13, 1981 at 12:15 o'clock p.m. as Study Sessions.

There being no further business motion was made by Commissioner Doyen, seconded by Commissioner Hattan, and duly carried that the City Commission meeting adjourn until 7:30 o'clock p.m. on August 12, 1981 to consider the 1982 City Budget Proposal.

  
Paul L. Nordin  
City Clerk

(Seal)

The City Commission met in adjourned session on August 13, 1981, at 7:30 o'clock p.m. in the City Commission room at City Hall. Commissioner Hattan presided, Commissioner Naylor present. Absent: Mayor Doyen.

Other officers present: City Manager Metzger, and City Clerk Nordin.

Visitors present: Ima Jean Chavey, and Merle Smith.

PUBLIC HEARING - 1982 CITY BUDGET

HELD

The City Manager presented to the City Commission the Budget Message for the 1982 Budget of the City. The Budget Message, as contained in the proposed operating budget document, is available at City Hall for review. After a short discussion the 1982 City of Concordia budget was adopted in its entirety. The City Commission thanked the visitors present for coming to this budget hearing.

ORDINANCE NO. 2257 (1982 BUDGET ADOPTION)

PASSED

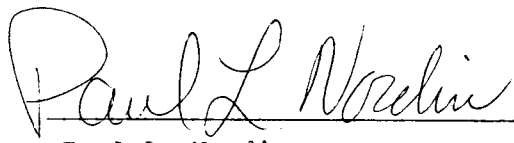
An ordinance entitled "AN ORDINANCE APPROVING, ADOPTING AND APPROPRIATING BY FUND THE BUDGET OF THE CITY OF CONCORDIA FOR THE YEAR BEGINNING JANUARY 1, 1982", was read and considered by the Commission. On roll call upon its passage the following Commissioners voted "yea": Naylor and Hattan. "Nay": none. 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. 2257.

1982 REVENUE SHARING BUDGET

APPROVED

The City Manager presented to the Commission the 1982 Federal Revenue Sharing Budget. After a brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner Hattan, and approved by the affirmative vote of two-thirds of the members-elect of the Commission that the Revenue Sharing uses as proposed by the 1982 Budget be approved.

There being no further business, motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried that this session of the City Commission adjourn.

  
\_\_\_\_\_  
Paul L. Nordin  
City Clerk

(Seal)

PLN:scb



## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 19, 1981

The City Commission met in regular session in the City Commission Room at City Hall at 4:00 P.M. on August 19, 1981. Mayor Doyen presided with Commissioner Hattan present. Absent: Commissioner Naylor.

Other officers present: City Manager Metzger, City Attorney Retter, City Clerk Nordin, Administrative Assistant Peterson.

Visitors present: Sister Evangelista Kehoe, Marcie Welch, Darlene Hepperly, Dan Slavin, Todd Nicholson, Don Jaster, Creg Mowry, Shawn Starr, and John Mowry, Rolland Hood, Jack Chaney, John Schmitt, Fred DeArmond from the Kansan, Brad Lowell from the Blade-Empire.

Minutes of the August 5th and August 12, 1981, meetings were approved as written.

ZONING CHANGE APPLICATION - JERRY JOLERDENIED

The City Manager stated that this was a public hearing to consider a proposed change in Zoning Ordinance # 1829. This change has been requested by Mr. Jerry Joler to allow the conversion of property described in the proposed amendment from single-family residential use to a community unit planned development. The City Manager explained that the Planning Commission held a public hearing on July 28, 1981, to consider this amendment, and by a three to one vote, recommended against its enactment. In addition, the City Manager stated that the City's planning staff supports the Planning Commissions recommendation not to approve this amendment.

After a brief discussion, motion was made by Commissioner Doyen and seconded by Commissioner Hattan, and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission to endorse the Planning Commissions recommendation to deny the above mentioned zoning change.

ZONING CHANGE APPLICATION - CITY STAFFAPPROVED

The City Manager stated that a second public hearing is scheduled for today's meeting to consider another proposed amendment to Zoning Ordinance # 1829. This change was initiated by City Staff following a review of the costs involved in processing zoning applications. The Planning Commission held a public hearing on July 28, 1981, to consider this amendment and recommended its approval by unanimous vote. The amendment provides for an increase in the filing fee for rezoning from \$10.00 to \$50.00 per application. After a brief discussion, motion was made by Commissioner Doyen and seconded by Commissioner Hattan and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission that this change be approved and the City Attorney be directed to draft an Ordinance effecting this change to be presented at the next regular City Commission meeting.

PUBLIC HEARING - SPECIAL ASSESSMENTS (WL-81-1)HELD

The Mayor announced that one of the purposes of this meeting was to consider the proposed assessments, as set out in the assessment role prepared by the City Manager and on file in the office of the City Clerk for the following improvement: The construction of a 6-inch water pipeline and connecting fixtures and pipe to be constructed in Crescent Lane, as platted, in Lost Creek Hills Addition to Concordia, Cloud County, Kansas, between the intersection of the center line of Crescent Lane, as platted, and the apparent eastern lot line of Lot 2, Block 3, in said Lost Creek Hills Addition, if extended, and the intersection of said center line of Crescent Lane and the apparent western lot line of Lot 1, Block 2, in said Lost Creek Hills Addition if extended, in the City of Concordia, Cloud County, Kansas, as authorized by resolution of this governing body adopted February 18, 1981, 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 K.S.A. 12 6a09 (B).

(No one in the proposed assessment district was present).

After considering the proposed assessments, and hearing and passing upon all objections thereto, there being no amendment to the proposed assessment as to any parcel, the proposed assessments were unanimously approved by the governing body.

ORDINANCE # 2258 SPECIAL ASSESSMENTS (WL-81-1)PASSED

After this approval of the proposed assessments, the Commission then read and considered the Ordinance which would levy the assessments for this project. This Ordinance is 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 CONSTRUCTION OF 6-INCH WATER PIPELINE AND CONNECTING FIXTURES AND PIPE TO BE CONSTRUCTED IN CRESCENT LANE, AS PLATTED, IN LOST CREEK HILLS ADDITION TO CONCORDIA, CLOUD COUNTY, KANSAS, BETWEEN THE INTERSECTION OF THE CENTER LINE OF CRESCENT LANE, AS PLATTED, AND THE APPARENT EASTERN LOT LINE OF LOT 2, BLOCK 3, IN SAID LOST CREEK HILLS ADDITION, IF EXTENDED, AND THE INTERSECTION OF SAID CENTER LINE OF CRESCENT LANE AND THE APPARENT WESTERN LOT LINE OF LOT 1, BLOCK 2, IN SAID LOST CREEK HILLS ADDITION, IF EXTENDED, IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS". On roll call upon its passage the following Commissioners voted "Yea": Doyen and Hattan. "Nay": None. With two-thirds of the 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 # 2258.

APPROPRIATION ORDINANCE # 15

APPROVED

Appropriation Ordinance # 15 was passed according to law.

RESCISSION OF BID AWARD FOR COMMUNITY DEVELOPMENT BLOCK GRANT AUDIT

APPROVED

The City Manager explained that audit proposals for auditing the financial and compliance requirements for the City's Community Development Block Grant program for fiscal year 1980 were presented at the previous City Commission meeting. The low bid from Anderson and Eldridge of Topeka, Kansas in the amount of \$850.00 was accepted by the Commission. Following notification that they were the low bidders on the audit, Anderson and Eldridge, Certified Public Accounting Firm, had advised the City that they are unwilling to accept the bid award. Considering Anderson and Eldridge's firms unwillingness to accept the bid award, action needs to be taken to rescind the Community Development Block Grant Bid Award made to Anderson and Eldridge. After a brief discussion, motion was made by Commissioner Doyen and seconded by Commissioner Hattan and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission that the bid award for the Community Development Block Grant program to the firm of Anderson and Eldridge, Certified Public Accountants, Topeka, Kansas, be rescinded.

BID AWARD (CDBG 1980 FISCAL YEAR AUDIT)

W. REX WOODS

The City Manager stated that the firm of W. Rex Woods, Certified Public Accountants from Belleville, Kansas was the next lowest bidder for the Community Development Block Grant fiscal year 1980 audit with a bid of \$1,160.00. The City Manager stated that staff recommendation was for the acceptance of the bid proposal of W. Rex Woods. After a brief discussion, motion was made by Commissioner Hattan and seconded by Commissioner Doyen and duly carried by the affirmative vote of two-thirds of the members-elect of the City Commission that the firm of W. Rex Woods, Certified Public Accountants, Belleville, Kansas, be awarded the bid for the completion of the 1980 fiscal year financial and compliance audit for the Community Development Block Grant program in the amount of \$1,160.00

FINAL REVIEW OF PARKING CONTROL PROCEDURES IN CENTRAL BUSINESS DISTRICT

ORIGINAL  
DECISION AFFIRMED

The City Manager explained that last February the parking meters in the downtown area were removed for a trial period of six months. Parking control during this period has consisted of continued enforcement in areas previously identified as parking meter zones. Two-hour parking zones were established in place of the parking meter zones. The City Manager explained that problems other than the loss of revenue had been few. He further explained that revenues had decreased from approximately \$800.00 a month to \$200.00 a month. The two-hour time limit appears to be sufficient for shoppers and does not appear to be abused. Enforcement is more difficult but seems to provide an effective deterrent to abuses of the new regulations. The program, the City Manager summerized, appears to be a success. Staff recommendation is that no further action be taken thus affirming the original decision in February to remove the parking meters. After a brief discussion it was agreed that no further action need be taken.

ORDINANCE # 2259 (POSSESSION OF ANY CEREAL MALT BEVERAGE IN A PUBLIC PLACE)

PASSED

An Ordinance entitled "AN ORDINANCE RELATING TO CONSUMPTION OR POSSESSION OF ANY CEREAL MALT BEVERAGE IN PUBLIC PLACES IN THE CITY OF CONCORDIA, KANSAS, REPEALING EXISTING CONCORDIA CODE SECTION 3-38, AND AMENDING THE CONCORDIA CODE BY ADDING A SECTION TO BE NUMBERED 3-38", was read and considered by the Commission. Several members of the audience addressed the Commission, speaking in favor of this, and the following three Ordinances. On roll call upon the passage of Ordinance # 2259, the following Commissioners voted "Yea": Doyen and Hattan. "Nay": None. With

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 19, 1981 (cont'd)

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 # 2259.

ORDINANCE # 2260 (BEER GARDEN LICENSE)

PASSED

An Ordinance entitled "AN ORDINANCE CREATING A BEER GARDEN LICENSE, AND ALLOWING AND LICENSING LIMITED PUBLIC SALE AT RETAIL AND CONSUMPTION OF CEREAL MALT BEVERAGES IN PUBLIC PARKS 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 Hattan. "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 # 2260.

ORDINANCE # 2261 (BEER GARDEN LICENSE TAX)

PASSED

An Ordinance entitled "AN ORDINANCE LEVYING A LICENSE TAX ON THE CONDUCT AND OPERATION OF A BEER GARDEN, AND AMENDING THE CONCORDIA CODE BY ADDING A SECTION, TO BE NUMBERED 14-41a", was read and considered by the Commission. On roll call upon its passage the following Commissioners voted "Yea": Doyen and Hattan. "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 # 2261.

ORDINANCE # 2262 (LOCATION OF AN ESTABLISHMENT HOLDING A CLASS B BEER LICENSE) PASSED

An Ordinance entitled "AN ORDINANCE PERTAINING TO THE ZONES WITHIN WHICH A PLACE OF BUSINESS FOR WHICH A CLASS B CEREAL MALT BEVERAGE LICENSE HAS BEEN ISSUED MAY BE LOCATED, AUTHORIZING SUCH LOCATION TO BE IN A BEER GARDEN IN A CITY PARK, AND AMENDING CONCORDIA CODE SECTION 3-54", was read and considered by the Commission. On roll call upon its passage the following Commissioners voted "Yea": Doyen and Hattan. "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 # 2262.

LICENSE APPLICATION FOR RETAIL SALE OF CEREAL MALT BEVERAGES

APPROVED

The City Manager explained that one application has been filed with the City Clerk for a Cereal Malt Beverage License. This license was filed by Dino Brichalli for the Concordia JayCeas. It is for a license to sell cereal malt beverages for consumption on the premises, a Class B License. This license has met all legal requirements, and the City Manager recommended approval of the license. A motion was made by Commissioner Doyen, and seconded by Commissioner Hattan, and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission that this Cereal Malt Beverage License be approved.

APPROVAL OF PURCHASE CONTRACT

HELEN LECKBERG ESTATE

The City Manager presented to the Commission a plan for the expansion of housing for low and moderate income persons. This plan includes purchase of two lots located on 2nd Street in Concordia, Kansas. These lots are presently owned by the Helen Leckberg Estate. The first of these lots is located in the two-hundred block of West 2nd Street, and the second lot is located in the five-hundred block of East 2nd Street. The land is to be purchased with Community Development Block Grant program funds, and will be granted to persons who meet low and moderate income criteria. The executors of the estate are prepared to sell the land to the City at a price of \$3,000.00 per lot. Staff recommendation is that the Commission approve the purchase of these two lots at this price. Both lots have been appraised at values close to this amount. After a brief discussion, motion was made by Commissioner Hattan, and seconded by Commissioner Doyen, and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission that the City Attorney draw up a contract according to the terms discussed above with the Helen Leckberg Estate, and that the Mayor and City Clerk be authorized to execute the contract.

AUDIENCE WITH VISITORS

ROLLAND HOOD

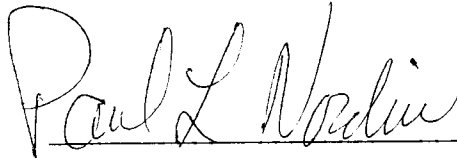
Rolland Hood was present to address the Commission on a number of matters of personal concern to him.

STUDY SESSION

DATE SET

The City Commission established Thursday, August 27, 1981 at 7:00 o'clock P.M. as

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

A handwritten signature in cursive script, reading "Paul L. Nordin", written over a horizontal line.

Paul L. Nordin  
City Clerk

(Seal)

PLN:scb

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 2, 1981

The City Commission met in regular session in the City Commission Room in City Hall at 4:00 o'clock p.m. on September 2, 1981. Mayor Doyen presided with Commissioners Hattan and Naylor present. Absent: None.

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

Visitors present: Fred DeArmond from the Kansan, and Brad Lowell from the Blade-Empire.

Minutes of the August 19, 1981 meeting were approved as written.

APPROPRIATION ORDINANCE # 16 - 16A

APPROVED

Appropriation Ordinance # 16-16A was passed according to law.

AUTOMOBILE LEASE AGREEMENT - BABE HOUSER CHEVROLET

APPROVED

The City Manager presented to the City Commission a plan by which the City would lease a 1981 Chevrolet Citation from Babe Houser Chevrolet. The City Manager explained that due to the ever increasing costs of procuring new vehicles that other methods, such as buying used cars, or leasing vehicles, should be considered. The City Manager noted two reasons which would make leasing an attractive alternative for local governments. First, the lessor does not have to pay any taxes on interest it earns on a lease with a municipal government. Second, it is now possible to avoid some traditional legal problems with a government entity obligating funds beyond one year. This is accomplished through a "non-appropriation" clause being written into a lease which provides that the municipality is not obligated for beyond one year, however, the City does agree to pay the lessor a penalty if the City terminates the lease before the end of the leases "service life", which may extend beyond a one-year period. The City Manager further explained that in this particular agreement the City would be leasing a 1981 Chevrolet Citation which is actually a used vehicle which has been driven just over 8,500 miles. The City would lease the vehicle for a two-year period, and at the end of that period we could buy the car for \$3,500.00 or return the car to the dealer without further obligation. During the term of the lease the City would agree to pay \$300.00 a month to the dealer. Included as a part of the lease is all service and repair work needed, tires, regular maintenance, and other work that may be required that does not result from abuse to the vehicle, be provided by the dealer. The dealer will tag the vehicle, and the City will cover it under the City's automobile insurance policy. After a brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the Commission that the City enter into an automobile lease agreement with Babe Houser Chevrolet for the above described 1981 Chevrolet Citation.

AWARD OF BID - PROJECT WW-81-1 VALLEY STREET WELLHOUSE IMPROVEMENT LOGAN CONSTRUCTION

The City Manager presented to the Commission the bid received on August 25, 1981, for a 8' 8" X 9' 4" concrete block building addition to the Valley Street well building. This addition is needed to house poly-phosphate injection equipment. Only one bid was received on the proposed work. Logan Construction submitted a bid of \$6,746.00 with completion scheduled for October 15, 1981. The City Engineer has reviewed the bid and recommended approval. After a short discussion motion was made by Commissioner Doyen, and seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that the apparant low bid sent in by Logan Construction be accepted.

VOTING DELEGATES TO THE 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 October 11, through October 13, 1981, in Overland Park. Motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the City Commission that Commissioners Doyen, Hattan and Naylor be selected as voting delegates to the League of Kansas Municipalities meeting, and that City Manager Metzger, City Clerk Nordin, and City Attorney Retter be selected as alternate voting delegates for the same meeting.

ANNUAL OPERATION AND MAINTENANCE ASSURANCE AGREEMENT

APPROVED

The City Manager stated that annually the City is required to submit to the Kansas State Park and Resources Authority an operation and maintenance assurance statement covering improvements made in the City Parks with Federal funds. This statement reaffirms Concordia's commitment to maintain and care for the parks and facilities and assure that they are accessible to the public during reasonable hours and times of the year. The statement presented today covers the operation and maintenance of park improvements made at City Park and Hood Park. After a brief discussion, motion was made by Commissioner Naylor and seconded by Commissioner Hattan and duly carried by the entire members-elect of the City Commission that the Mayor be given authorization to execute the annual operation and maintenance assurance statement.

GENERAL OBLIGATION BOND ISSUE SALE

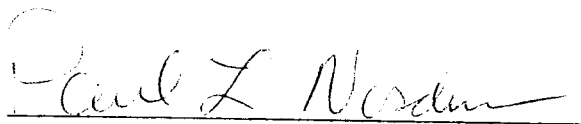
DATE SET

The City Manager advised the City Commission that a date needed to be set for the sale of General Obligation Bonds of the City of Concordia to redeem temporary notes issued for various internal improvements and a building construction project. The issue will be used to finance sanitary sewer projects in the amount of \$25,554.91; alley improvement projects in the amount of \$4,865.47; waterline improvement projects in the amount of \$69,420.57; and building improvements in the amount of \$34,784.57. These projects together with the bond issue costs total \$140,000.00. 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 to set September 24, 1981, 10:00 A.M. Central Daylight Standard Time, as the date and time bids for the sale of the General Obligation Bond issue in the amount of \$140,000.00 will be publically opened and read.

STUDY SESSION

DATE SET

The City Manager and the Commissioners established Thursday, September 10, 1981, at 12:15 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 City Commission meeting adjourn.



Paul L. Nordin  
City Clerk

(Seal)

PLN:scb

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 16, 1981

The City Commission met in regular session on September 16, 1981, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Doyen presided with Commissioners Naylor and Hattan present. Absent: None.

Other Officers present: City Manager Metzger, City Attorney Retter and Assistant City Clerk Scott.

Visitors present: Fred DeArmond from The Kansan, Brad Lowell from The Blade-Empire, Dennis Rohr, Sue Cox and Larry Hubble.

The minutes of the September 2, 1981, meeting were approved as written.

APPROPRIATION ORDINANCE NO. 17

APPROVED

Appropriation Ordinance No. 17 was approved according to law.

ENGINEER'S ESTIMATE OF COST (Project WW-81-1-Valley Street Wellhouse)

APPROVED

The City Manager presented an Engineer's Estimate of Cost for the Valley Street Wellhouse improvement in the amount of \$10,707.00. After 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 to approve the Engineer's Estimate of Cost for the above named project.

ORDINANCE NO. 2263 (VALLEY STREET WELLHOUSE ADDITION WW-81-1)

PASSED

An ordinance entitled "AN ORDINANCE PROVIDING FOR THE ALTERATION, REPAIR, RECONSTRUCTION, REMODELING, REPLACEMENT AND MAKING ADDITIONS TO, FURNISHING AND EQUIPPING A PUMPHOUSE BUILDING FOR THE CITY OF CONCORDIA, KANSAS, AND PROVIDING FOR THE PAYMENT OF COSTS THEREOF" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Doyen, Naylor and Hattan. "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. 2263.

BID OPENING - STREET AND PARK DEPARTMENT VEHICLES

BABE HOUSER CHEV-OLDS-CADILLAC, INC.

The City Manager presented to the Commission two bids received from Babe Houser Chevrolet-Oldsmobile-Cadillac, Inc. for the replacement of two vehicles, one for the Street Department and the other for the Park Department. He explained that we would usually wait until January to accept bids on these vehicles but in checking with dealers, discovered that the prices of the new 1982 pickups were going to increase sharply and that the City would realize a \$1,000 savings by trading vehicles now. The trade-in trucks in each case is a 1970 vehicle.

After a short discussion, motion was made by Commissioner Hattan, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission to accept a bid of \$6,800.00 for the Street Department truck and \$7,000.00 for the Park Department Truck, both bids from Babe Houser Chev-Olds-Cadillac, Inc.

DAMAGE CLAIM - HILDA HILLS

DENIED

The City Manager presented to the Commission a damage claim in the amount of \$16.56 from Hilda Hills resulting from an accident to her car when she attempted to leave the parking lot at Love's Country Store and ran over a storm sewer inlet. He indicated that it appeared this accident resulted from the driver's inattention rather than any negligence on the part of the City and would recommend the Commission deny the claim. After a short discussion, motion was made by Commissioner Hattan, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission to deny the claim presented by Hilda Hills.

DISCUSSION OF DAMAGE CLAIMS

The City Manager suggested to the Commission that some attention should be given to the handling of damage claims and that most claims could be handled administratively if the dollar amount did not exceed \$200.00. The Commission agreed that some discussion should be done regarding this problem and that a better method of handling the situation could be worked out in the future.

VISITOR-SUE COX

HUMANE SOCIETY

Sue Cox was present at the meeting to discuss her displeasure with the fact that the City of Concordia did not have an active Humane Society. Mr. Metzger advised Mrs. Cox that the Closest chapter of the Humane Society was in Salina and that if she was interested in forming a chapter here in Concordia, perhaps she could contact the Salina branch and get the information on setting up the organization here in Concordia.

VISITOR - LARRY HUBBLE

PREACHING AND LECTURING


Mr. Larry Hubble had contacted the city attorney requesting a legal opinion on Section 15-13 of the Concordia Code which prohibits preaching and lecturing on public property. Mr. Retter advised the Commission that this section of the code had been enacted prior to 1951 and it was his opinion that Section 15-13 is unconstitutional and asked that the City Commission direct him to prepare an ordinance to repeal this section. Following a short 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 directing David Retter, City Attorney to prepare an ordinance repealing Section 15-13 of the Concordia City Code.

STUDY SESSION

DATE SET

October 1, 1981 at 12:15 o'clock p.m. was the date set for the next study session.

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

  
\_\_\_\_\_  
Verna Scott  
Assistant City Clerk

(Seal)

VS



MINUTES OF THE SPECIAL COMMISSION MEETING HELD OCTOBER 1, 1981

The City Commission met in special session on October 1, 1981, at 12:15 o'clock p.m. in the City Commission Room in the City Hall. Mayor Doyen presided with Commissioners Hattan and Naylor present. Absent: None.

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

Commissioner Doyen requested that the Call for the Special Commission Meeting be entered, at length, in the minutes.

"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 1, 1981.

Time: 12:15 p.m.

The object of said meeting will be as follows:

1. Resolution authorizing condemnation and preliminary survey-tracts in Sections 27 and 34, Township 5 South, Range 3 West, Cloud County, Kansas.
2. Resolution authorizing institution of and verification of pleadings for injunction and declaratory relief to obtain precondemnation survey rights under K.S.A. 26-512.
3. Acceptance of Bids - G.O. Bond Issue 1981-A.
4. Consideration and passage of Bond Ordinance - 1981-A G.O. Bond Issue.
5. Acceptance of Bids - CD-WL-81-1; Estimated cost \$126,615.00.

DATED this 1st day of October, 1981.

/s/ Lee W. Doyen  
Mayor

/s/ Wilbur Naylor  
Commissioner

NOTICE OF SPECIAL CITY COMMISSION MEETING  
City of Concordia, Kansas

TO: Lee Doyen, Wilbur Naylor and Greg Hattan, 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 1st day of October, 1981, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

1. Resolution authorizing condemnation and preliminary survey-tracts in Sections 27 and 34, Township 5 South, Range 3 West, Cloud County, Kansas.
2. Resolution authorizing institution of and verification of pleadings for injunction and declaratory relief to obtain precondemnation survey rights under K.S.A. 26-512.
3. Acceptance of Bids - G.O. Bond Issue 1981-A.
4. Consideration and passage of Bond Ordinance - 1981-A G.O. Bond Issue.
5. Acceptance of Bids - CD-WL-81-1; Estimated cost: \$126,615.00.

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 Doyen, Naylor and Hattan, or to leave said notice at the usual place of residence of said Commissioners before 12:00 Noon on the 1st day of October, 1981, and to make a return in writing of said service, showing the manner of such service.

/s/ Paul L. Nordin  
City Clerk

RETURN OF SERVICE

The undersigned received the original notice of special city commission meeting, of which the foregoing is a copy, at 11:30 p.m., on the 1st day of October, 1981, and served the same personally on Commissioners Doyen, Naylor and Hattan at 12:00 Noon on the 1st day of October, 1981.

/s/ Paul L. Nordin  
City Clerk"

RESOLUTION NO. 622 (VALLEY STREET WELLHOUSE CONDEMNATION)

PASSED

The City Manager presented to the Commission a resolution which would authorize him to acquire a survey and description of certain real estate adjacent to the Valley Street Wellhouse which the City is desirous of acquiring by means of condemnation proceedings. This is necessary in order for the City to secure a sufficient interest in the real estate adjacent to the wellhouse so that construction and other normal maintenance be provided for that wellhouse on an uninterrupted basis. 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. 622 authorizing the City Manager to obtain a survey of certain property adjacent to the Valley Street Wellhouse be adopted.

RESOLUTION NO. 623 (AUTHORIZATION FOR CITY ATTORNEY TO COMMENCE CONDEMNATION PROCEEDINGS)

PASSED

The City Manager then presented to the Commission a resolution which would authorize the City Attorney to institute all appropriate legal proceedings necessary to allow the survey of the property adjacent to the Valley Street Wellhouse to take place without interruption from the property owner. After a brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the Commission, that Resolution No. 623 be passed.

BID AWARD (1981-A, SERIES GENERAL OBLIGATION BONDS)

FIRST SECURITIES COMPANY OF WICHITA

The City Manager presented to the City Commission the results fo the bids received at 10:00 o'clock a.m. on September 24, 1981, for the General Obligation Bond Issue, Series 1981-A, of the City of Concordia in the amount of \$140,000.00. The following bids were received:

<u>Bidder</u>	<u>Net Interest</u>	<u>Average Interest Cost</u>	<u>Coupon Rates</u>
First Securities Corp.	\$77,025.00	10.55136%	11%, 10.5% & 10.65%
George K. Baum & Co. Inc.	82,050.00	11,239726%	12%, 11.5% 10.7%, 10.9% 11.1% & 11.25%

The City Manager advised the Commission that the City Clerk had checked all the computations and found them to be accurate. It is the recommendation of the City Staff to accept the low bidder which was First Securities Corp. of Wichita with an average interest cost of 10.55136%. 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 for the 1981-A Series General Obligation Bond Issue be awarded to the low bidder, First Securities Corp. of Wichita, Kansas with an average interest cost of 10.55136%.

MINUTES OF THE SPECIAL COMMISSION MEETING HELD OCTOBER 1, 1981 (CONTINUED)

ORDINANCE NO. 2264 (SERIES 1981-A GENERAL OBLIGATION BONDS)

PASSED

An ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS WITH THE CITY OF CONCORDIA, KANSAS, IN THE TOTAL PRINCIPAL AMOUNT OF \$140,000.00, TO PAY THE COSTS OF CERTAIN ALLEY IMPROVEMENTS, SANITARY SEWER IMPROVEMENTS, WATER LINE IMPROVEMENTS AND AUDITORIUM IMPROVEMENTS IN THE CITY; AND PRESCRIBING THE TERMS AND DETAILS OF THE BONDS" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Naylor, Doyen and Hattan. "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 2264.

AWARD OF BID - PROJECT CD-WL-81-1 (COMMUNITY DEVELOPMENT  
BLOCK GRANT WATER LINE IMPROVEMENT)

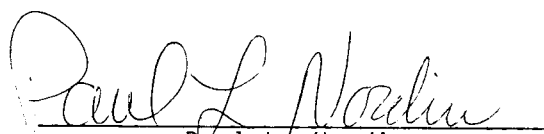
WILSON CONSTRUCTORS

The City Manager presented to the Commission the bids received on September 29, 1981, for the construction of a water line to be financed by the Community Development Block Grant Program. The bids received are as follows:

<u>NAME</u>	<u>BID</u>
Derowitsch Construction	\$173,768.11
Clearwater Excavating, Inc.	118,741.20
Smoky Hill, Inc.	139,782.80
Wilson Constructors, Inc.	113,596.00
Bayer Construction	181,036.00
Manhattan Trenching, Inc.	150,647.31
Larson Construction	148,790.52

After a short 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 apparent low bid sent in by Wilson Constructors, Inc. be accepted.

There being no further business, motion was made by Commissioner Naylor, seconded by Commissioner Doyen and duly carried that this special meeting of the City Commission adjourn to a Study Session which is to be held immediately following this special City Commission meeting.

  
Paul L. Nordin  
City Clerk

(Seal)

PLN:vs

The City Commission met in regular session on October 7, 1981, at 4:00 p.m. in the City Commission room in City Hall. Commissioner Naylor presided with Commissioner Hattan present. Absent: Mayor Doyen.

Other officers present: City Manager Metzger, City Clerk Nordin, City Attorney Retter, and Police Chief Rohr.

Visitors present: Fred DeArmond from the Kansan, Brad Lowell and Chris Black from the Blade-Empire, Ethel Henthorne, Ruth Paillette, Margaret Blach.

Minutes of the September 16, and October 1, 1981, meetings were approved as written.

APPROPRIATION ORDINANCE # 18 - 18A

APPROVED

Appropriation Ordinance # 18 - 18A was approved according to law.

ORDINANCE # 2265 (Repeal of Section 15 - 13 of the Concordia Code)

PASSED

An Ordinance entitled "AN ORDINANCE REPEALING EXISTING SECTION 15 - 13 OF THE CONCORDIA CODE PROHIBITING PREACHING, LECTURING OR PUBLIC DISCOURSE ON PUBLIC PROPERTY" was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "yea": Hattan and Naylor. "Nay": None. With two-thirds of the members-elect of the City Commission having voted in favor thereof, the Ordinance was declared passed, the title agreed to and the City Clerk assigned to it # 2265.

AMBULANCE CHARGE-OFFS

APPROVED

The City Manager explained that as part of the annual audit a list of uncollectable ambulance charges was compiled and is now being submitted to the City Commission for their consideration. The amount the auditors have determined to be uncollectable, and that should be charged off, is \$205.00. After brief discussion, motion was made by Commissioner Hattan and seconded by Commissioner Naylor and duly carried by the affirmative vote of two-thirds of the members-elect of the City Commission that the ambulance charge-offs be approved.

(At this point in the meeting Mayor Doyen arrived late and began to preside)

BID OPENING - POLICE VEHICLE

BABE HOUSER CHEV., OLDS, CADILLAC, INC.

The City Manager presented to the Commission one bid received from Babe Houser Chev., Olds, Cadillac, Inc. for the purchase of a new police vehicle. The City Manager explained that bid specification sheets had been delivered to both car dealers in town, but that only Babe Houser Chev., Olds, Cadillac, Inc. had submitted a bid. The bid submitted by Babe Houser Chev., Olds, Cadillac, Inc. for the police vehicle was \$8,100.00. This amount included a trade-in allowance of approximately \$1,700.00 for a 1979 Chevrolet Impala police vehicle that the City is now retiring from service. After short discussion, motion was made by Commissioner Hattan and seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the City Commission that the bid of \$8,100.00 for the police vehicle submitted by Babe Houser Chev., Olds, Cadillac, Inc. be accepted.

GAS INSPECTOR BOND

BUTLER PLUMBING

The City Manager presented to the Commission a gas inspector bond in the amount of \$500.00 for Mr. Dennis Butler d/b/a Butler Plumbing of Wamego, Kansas. This bond has been reviewed by the City Attorney as to its sufficiency and has been determined to be in conformance with City Ordinances. After brief discussion, motion was made by Commissioner Naylor and seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the Commission that the Gas Inspector Bond for Dennis Butler be approved.

SEWER - PLUMBER BOND

BUTLER PLUMBING

The City Manager then presented to the Commission a Sewer-Plumber Bond also in the amount of \$500.00 and also for Mr. Dennis Butler. This bond has also been reviewed by the City Attorney, as to its sufficiency, and was also determined to be in conformance with City Ordinances. After brief discussion, motion was made by Commissioner Doyen and seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the Commission that the Sewer-Plumber Bond for Dennis Butler be approved.

MINUTES OF THE REGULAR SESSION OF THE CITY COMMISSION HELD OCTOBER 7, 1981 (cont'd)

ASSET LIMITATION INCREASE

CITIZEN'S ADVISORY COMMITTEE

The City Manager then presented a Citizen's Advisory Committee recommendation that the City Commission increase the asset limitation from \$7,500.00 to \$9,000.00 for individuals desiring financial assistance through our Community Development Block Grant program. This action would increase the amount of assets an individual could possess and still be eligible for assistance under our Community Development Block Grant program. After brief discussion, motion was made by Commissioner Naylor and seconded by Commissioner Doyen and duly carried by the affirmative vote of the entire members-elect of the Commission that the asset limitation for assistance eligibility under our Community Development Block grant program be increased from \$7,500.00 to \$9,000.00.

AUDIENCE WITH VISITORS

BUSINESS AND PROFESSIONAL WOMENS CLUB

Ethel Henthorne, Ruth Paillette, and Margaret Blach were present representing the Business and Professional Womens Club of Concordia. They presented to the Commission a proclamation which would declare October 18 - 24 as Business Womens week in Concordia. This would coincide with the National Federation of Business and Professional Womens Business Womens week to be held nationally on the same dates. The proclamation was read and, after a brief discussion, Commissioner Doyen signed the proclamation.

STUDY SESSION

DATE SET

The City Manager and City Commission established October 15, 1981, at 12:15 p.m. as a study session.

There being no further business a motion was made by Commissioner Hattan and seconded by Commissioner Naylor and duly carried that this City Commission meeting adjourn.



Paul L. Nordin  
City Clerk

(Seal)

PLN:scb

The City Commission met in regular session on October 21, 1981, at 4:00 o'clock P.M. in the City Commission room in City Hall. Mayor Doyen presided with Commissioners Naylor and Hattan present. Absent: None.

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

Visitors present: Verna Scott, Tom Tuggle, Bob Burns, Art Slaughter, Leon Gennette, Burton Gerard, Jack Chaney, Stefan Carlgren, Fred DeArmond from the Kansan, Brad Lowell and Chris Black from the Blade-Empire.

Minutes of the October 7, 1981, meeting were approved as written.

QUARTERLY INVESTMENT REPORT

ORDERED PLACED ON FILE

"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, 1981 through September 30, 1981.

<u>Amount</u>	<u>Fund</u>	<u>Due Date</u>	<u>Interest Rate %</u>	<u>Interest Received</u>	<u>Original Term</u>
\$ 30,000.00	Misc.	7-2-81	13.456	\$ 320.74	29 Days
50,000.00	W/S	7-3-81	11.451	235.35	15 Days
4,390.27	Water Dep.	7-6-81	5.	49.06	Passbook
10,000.00	Misc.	7-6-81	5.25	548.95	Passbook
50,000.00	Misc.	7-6-81	11.451	235.29	15 Days
30,000.00	W/S	7-10-81	12.982	298.76	29 Days
145,000.00	W/S;Misc.	7-23-81	13.337	1,589.48	30 Days
100,000.00	Misc.	7-22-81	13.553	3,341.84	90 Days
60,000.00	Misc.	8-10-81	13.563	334.43	15 Days
70,000.00	FRS;Misc	8-10-81	12.40	665.86	28 Days
13,385.00	Misc.	8-17-81	14.478	998.15	182 Days
100,000.00	W/S;Misc.	8-27-81	14.563	1,196.96	30 Days
50,000.00	Misc.	8-27-81	13.563	538.80	29 Days
75,000.00	FRS;Misc.	8-27-81	13.235	407.93	15 Days
32,000.00	Misc.	9-9-81	13.235	336.49	29 Days
100,000.00	W/S;Misc.	9-10-81	14.122	1,160.71	30 Days
100,000.00	Misc.	9-10-81	13.90	2,284.93	60 Days
50,000.00	FRS;Misc.	9-11-81	13.832	284.22	15 Days
30,000.00	Misc.	9-24-81	13.611	167.81	15 Days
40,000.00	Misc.	9-28-81	13.611	253.57	17 Days
25,000.00	Misc.	9-25-81	13.611	139.85	15 Days
100,000.00	W/S;Misc.	9-27-81	14.812	<u>1,219.07</u>	30 Days

TOTAL INTEREST RECEIVED - Third Quarter	\$16,608.25
TOTAL INTEREST RECEIVED - Second Quarter	12,486.63
TOTAL INTEREST RECEIVED - First Quarter	<u>10,651.30</u>
	\$39,746.18

Respectfully submitted,

s/s Carl M. Metzger  
City Manager

MINUTES OF THE REGULAR SESSION OF THE CITY COMMISSION HELD OCTOBER 21, 1981 (cont'd)

Current Investment 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>Money Market Certificates</u>					
15,000.00	Misc.	1-21-81	15.568	1st Fed. Savings	182 Days
<u>Re-purchase Agreements</u>					
50,000.00	Misc.	10-9-81	13.611	1st Bank & Trust	29 Days
30,000.00	Misc.	10-8-81	13.611	Cloud County Bank	29 Days
<u>Passbook</u>					
5,074.49	Water Dep.	--	5.	Cloud County Bank	Passbook
30,000.00	Misc.	--	5.25	Cloud County Bank	Passbook
<u>Certificates of Deposit</u>					
100,000.00	Misc.	10-9-81	14.611	1st Bank & Trust	30 Days
9,089.10	Sm. Animal Trust	9-21-82	6.	Cloud County Bank	1 Year
17,915.50	Cem. End.	9-30-83	12.	Peoples Savings	30 Mos.
17,915.50	Cem. End.	10-1-83	12.	1st Fed. Savings	30 Mos.
274,994.59					

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

s/s Carl M. Metzger  
City Manager

s/s Paul L. Nordin  
City Clerk

s/s Verna Scott  
City Treasurer

EMPLOYEE SERVICE AWARDS

PRESENTED

Mayor Doyen presented ten-year continuous service award pins to three employees of the City. The employees recognized for ten years of continuous City service were as follows: Verna Scott, Office Manager; Bob Burns, Fireman; and Thomas Tuggle, Assistant City Attorney. The Mayor thanked the employees for their faithful service to the City, and expressed his wishes that these employees continue in their service to the City.

APPOINTMENT TO THE PLANNING COMMISSION

DARLENE HEPPEPLY

The City Manager presented to the Commission a recommendation forwarded to the City Commission from the Planning Commission to appoint Darlene Hepperly to fill a vacancy on the Planning Commission Board, for a term running through November 1, 1984. Mrs. Hepperly has been contacted, and has agreed to serve on the Planning Commission. After a brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner Hattan, and duly carried by the affirmative vote of the entire members-elect of the Commission that the appointment of Darlene Hepperly to the Planning Commission be approved.

APPROPRIATION ORDINANCE # 19

APPROVED

Appropriation Ordinance # 19 was passed according to law.

BID AWARD - TEMPORARY NOTES FOR PROJECT WW-81-1

FIRST BANK AND TRUST

The City Manager presented to the Commission bids received on October 19, 1981, for the purchase of Temporary Notes, Series 1981-B, totaling \$10,707.00, to fund the Valley Street Water Well improvement. Bids were as follows:

<u>Bank</u>	<u>Annual Interest Rate</u>
First Bank and Trust	10.5%
Cloud County Bank and Trust	13.7%

The City Manager advised that it was the recommendation of the City staff to accept the low bidder which was First Bank and Trust with an interest rate of 10.5%. After

brief discussion, motion was made by Commissioner Naylor, seconded by Commissioner Hattan, and duly carried by the affirmative vote of the entire members-elect of the City Commission that the bid for the 1981-B Series Temporary Note issue be awarded to the low bidder, First Bank and Trust, of Concordia, Kansas with an interest rate of 10.5% per annum.

RESOLUTION # 624 (TEMPORARY NOTES: WW-81-1)

APPROVED

The City Manager presented to the Commission a resolution authorizing the issuance of \$10,707.00 in temporary notes for the City of Concordia at an interest rate of 10.5% per annum to provide for the cost of the improvement of alteration, repair, reconstruction, remodelling, replacement and making additions to, furnishing and equipping a pump house building in the City of Concordia, Kansas. These temporary notes were authorized by Ordinance # 2263 of the City of Concordia. After brief discussion, motion was made by Commissioner Doyen and seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the City Commission that Resolution # 624, authorizing the issuance of said temporary notes, be adopted.

INTERLOCAL AGREEMENT (LINCOLN TOWNSHIP AMBULANCE PROTECTION)

APPROVED

The City Manager presented to the City Commission a proposed interlocal ambulance service agreement to be entered into between the City of Concordia and Lincoln Township. This document was sent to the Lincoln Township Board for their review, and they returned it to the City with the request to expedite the execution of this agreement. The City Manager further explained that this agreement establishes that the City will provide emergency service to the Township only when such service does not hinder the providing of adequate service within the City. The Township, in consideration of the City providing the emergency ambulance services, agrees to pay the City on an annual basis an amount of money equal to a .5 mil levy. This agreement will take affect upon execution by the governing body of the City of Concordia and the Lincoln Township governing body. The original term of this agreement shall be for the balance of calendar year 1981 and all of calendar year 1982. This agreement shall than be renewable on a year to year basis for an additional term of one year. After brief discussion, motion was made by Commissioner Naylor and seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the City Commission that the Mayor and City Clerk be authorized to execute the above described interlocal agreement between the City of Concordia, Kansas and the Lincoln Township of Cloud County Kansas for the provision of ambulance service to the Township by the City.

TRIPARTITE AGREEMENT FOR TRANSFER OF DEFERRED COMPENSATION FUNDS

RICHARD D. ASH

The City Manager explained that during Mr. Richard D. Ash's tenure as City Clerk of Concordia, that he participated in the International City Management Association Deferred Compensation Plan. A primary purpose of this deferred compensation plan is to provide portability of retirement benefits for mobile public servants. To simplify the administrative procedures related to the plan, it provides for the transfer of deferred compensation funds from the ownership of one employer to another subject to the conditions proposed by the Internal Revenue Service which are incorporated into the Tripartite Agreement. Mr. Ash requested that the City direct the ICMA retirement Corporation to transfer the ownership, right of withdrawal of funds, and assets in its deferred compensation account for Mr. Ash to the City of Belleville, Kansas. After brief discussion, motion was made by Commissioner Hattan and seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that the Mayor and the City Clerk be authorized to execute the above described agreement.

ENGINEERS ESTIMATE OF COST (PROJECT RR-81-1)

TABLED

The City Manager informed the City Commission that the Engineers estimate of cost of the project was not completed at this time and requested that action on this matter be tabled.

ORDINANCE # 2266 (LAND CONDEMNATION)

PASSED

An Ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ACQUISITION BY CONDEMNATION OF INTEREST IN CERTAIN REAL ESTATE SITUATED IN CLOUD COUNTY KANSAS," was read and considered by the Commission. On roll upon its passage the following Commissioners voted "Yea": Naylor, Hattan, and Doyen. "Nay": None. With the entire members-elect of the City Commission having voted in favor thereof, the Ordinance was declared passed, the title agreed to, and the City Clerk assigned to it # 2266.

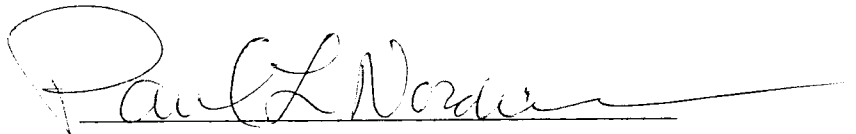


## MINUTES OF THE REGULAR SESSION OF THE CITY COMMISSION HELD OCTOBER 21, 1981 (cont'd)

AUTHORIZATION TO PREPARE INTERNAL IMPROVEMENT PETITIONDOWNTOWN REDEVELOPMENT TASK FORCE

Several members of the Downtown Redevelopment Task Force were present to formally present to the Commission a proposal to create a special assessment district for the purpose of improving and otherwise beautify the downtown area between Lincoln and Cedar Streets. This improvement would include a new street surface, new curb and gutter, new sidewalks, an island in the middle of the street for the distance of the improvement, trees and various other landscaping and beautification items such as park benches and water fountains. Mr. Stefan Carlgren explained to the Commission that the proposed cost of this improvement was \$650,000.00 and that half of this cost born by the benefit district and the other 50% would be supported by the City at large. The financing would be accomplished through a general obligation bond issue of the City. Mr Carlgren also stated that it was the intention that after the petition had been signed by enough of the property owners in the proposed special assessment district that the issue be submitted to the voters for their approval. The Commissioners made inquiries of City staff as to how this project could be financed and under what statutory authority it would be financed. City Manager Metzger and City Attorney Retter explained that KSA 12-6a-01 et seq. statutes would probably be the best statutory authority to use for a project of this type. The task force was requesting that the City Commission, today, grant authorization for the City staff to prepare an internal improvement petition which would be circulated among the property owners of the proposed special assessment district. After a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Doyen and duly carried by the affirmative vote of the entire members-elect of the Commission that the City staff be directed to prepare an internal improvement petition for circulation among the property owners of the proposed special assessment district.

There being no further business, motion was made by Commissioner Hattan seconded by Commissioner Doyen and duly carried to adjourn the City Commission meeting to 12:15 o'clock P.M. on October 29, 1981, to conduct further business of the Commission.



Paul L. Nordin  
City Clerk

(Seal)

PLN:scb

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

Other Officers present: City Manager Metzger, City Attorney Retter, City Clerk Nordin, Verna Scott and Rebecca Leon.

Visitors present: Brad Lowell from the Blade-Empire, Fred DeArmond from the Kansan, Galen Weick, Donna Collins and Chris Black.

PROCLAMATION

GREAT AMERICAN SMOKE-OUT

Donna Collins and Galen Weick were present to have the Mayor proclaim November 19, 1981, as Great American Smoke-Out Day. The Mayor signed the proclamation.

OATH OF OFFICE

CLERK & TREASURER

City Clerk Nordin administered the Oath of Office to Rebecca Leon as City Treasurer and to Verna Scott as City Clerk.

AMENDMENT TO ZONING ORDINANCE NO. 1829 (FENCES)

APPROVED

The City Manager stated that this was a public hearing to consider the proposed amendment to Zoning Ordinance No. 1829. This change has been requested by Combustion-Engineering, Inc. to allow the placement of barbed wire fences in Industrial Zones. He stated that the Concordia Planning Commission had held a hearing on October 13, 1981 and by a 4 to 0 vote, recommended this change to the City Commission.

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 to direct the City Attorney to prepare an ordinance to effect the changes recommended by the Planning Commission for approval at the next Commission meeting.

PETITION FOR STREET IMPROVEMENT

TABLED

(Republican Street Between 18th and Peck Avenue)

The City Manager presented to the Commission a petition signed by David E. Retter and Edgar Arpin requesting the creation of a special assessment improvement district for the improvement and drainage of Republican Street between 18th Street and Peck Avenue. The benefit district would include Pleasant Hill Cemetery and Lots 1 and 23, Block 2 of College Heights Addition. Mr. Metzger explained that the apportionment of costs between the benefit district and the city-at-large would be:

87.4% City at Large  
12.6% Benefit District

After a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission to table any action on this petition until further study had been made.

APPROPRIATION ORDINANCE NO. 20-20A

PASSED

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

RESOLUTION NO. 625 (KPERS DESIGNATED AGENT)

APPROVED

The City Manager presented to the Commission a resolution designating the City Clerk as the agent for and on behalf of the City of Concordia, through whom KPERS system transactions and communications shall be directed. 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. 625 authorizing the City Clerk as agent for Kansas Public Employees Retirement System be approved.

RESOLUTION NO. 626 (KP&F DESIGNATED AGENT)

APPROVED

The City Manager presented to the Commission a resolution designating the City Clerk as the agent for and on behalf of the City of Concordia, through whom KP&F system transactions and communications shall be directed. 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 Resolution No. 626 authorizing the City Clerk as agent for Kansas Police.

CONDEMNATION SETTLEMENT - VALLEY STREET WELLHOUSE

GLEN ANDERSON

The City Attorney advised the City Commission that he had been contacted by attorneys for Mr. Glen Anderson about the possibility of reaching a negotiated settlement on the condemnation suit between the City of Concordia and Mr. Anderson.

8

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 4, 1981 (cont'd)

A cash settlement of \$2,000.00 was proposed by Mr. Anderson's attorney's. In return, the City will receive 2.88 acres for water main placement and .03 acres for water well house expansion.

Settlement of this matter was recommended by the City Attorney.

After a lengthy discussion, motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the Commission to authorize the manager and attorney to negotiate the terms of the settlement and pay the \$2,000.00

STOP SIGNS NEEDED

LEE W. DOYEN

Commissioner Doyen made a motion to install stop signs on Cedar Street at the intersections of 12th, 14th, 15th and 16th Streets and on State Street at the intersections of 14th and 15th Streets. The motion was seconded by Commissioner Naylor with Commissioner Hattan abstaining. The motion carried on affirmative vote of two-thirds of the members-elect of the Commission to approve the installation of stop signs at the intersections of 12th, 14th, 15th and 16th Streets on Cedar Street and the intersections of 14th and 15th Streets on State Street.

STUDY SESSION

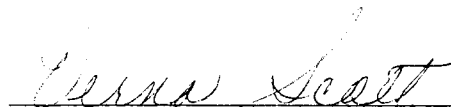
DATE SET

The City Manager and City Commission established Thursday, November 12, 1981, at 12:15 p.m. as a Study Session.

NORDIN RESIGNATION

Commissioner Doyen thanked Paul Nordin, City Clerk for his services and wished him well in his new job as Director of Public Works in Winfield, Kansas.

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

  
\_\_\_\_\_  
Verna Scott  
City Clerk

(Seal)

VS:sb

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

Minutes of the October 21, and November 4, 1981 meetings were approved as written.

Other officers present: City Manager Metzger and City Attorney Retter.

Visitors Present: Brad Lowell from the Blade-Empire and Fred DeArmond from the Kansan.

SURETY BONDS

CITY TREASURER

The City Manager stated that according to City Ordinance a surety bond is required for the office of City Treasurer in the amount of \$20,000.00. Motion was made by Commissioner Naylor, seconded by Commissioner Hattan, and duly carried by the affirmative vote of the entire members-elect of the commission to approve the surety bond for the above mentioned office.

APPROPRIATION ORDINANCE NO. 21

APPROVED

Appropriation Ordinance No. 21 was passed according to law.

ORDINANCE NO. 2267 - ZONING ORDINANCE AMENDMENT

PASSED

An Ordinance entitled "AN ORDINANCE PERTAINING TO TYPES OF FENCES WHICH MAY BE ERECTED IN THE FOLLOWING ZONE ESTABLISHED BY THE ZONING ORDINANCE OF THE CITY OF CONCORDIA, KANSAS, ORDINANCE NO. 1829, AS AMENDED: C-NEIGHBORHOOD SHOPPING DISTRICT; C-1-RETAIL BUSINESS DISTRICT; C-P-PLANNED NEIGHBORHOOD SHOPPING DISTRICT; C-S-HIGHWAY SERVICE DISTRICT; I-1-LIGHT INDUSTRIAL DISTRICT; I-2-HEAVY INDUSTRIAL DISTRICT; I-P-INDUSTRIAL PARK DISTRICT; REPEALING SUB-SECTION 6 OF SECTION 2 OF ARTICLE XXIII OF SAID ZONING ORDINANCE: AND AMENDING SAID ZONING ORDINANCE BY ADDING NEW SUB-SECTION 6 AND 7 TO SECTION 2 OF SAID ARTICLE XXIII" was presented by the City Manager and considered by the Commission on roll call upon its passage the following Commissioners voted "Yea": Doyen, Naylor and Hattan. "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 Manager assigned to it No. 2267.

ORDINANCE NO. 2268 - REPEALING ORDINANCE NO. 2263

PASSED

An Ordinance entitled "AN ORDINANCE REPEALING ORDINANCE NO. 2263 AT THE CITY OF CONCORDIA, KANSAS ENTITLED "AN ORDINANCE PROVIDING ALTERATION REPAIR, RECONSTRUCTION, REMODELING, REPLACEMENT AND MAKING ADDITIONS TO FURNISHING AND EQUIPPING A PUMPHOUSE BUILDING FOR THE CITY OF CONCORDIA, KANSAS AND PROVIDING FOR THE PAYMENT OF THE COST THEREOF" was presented by the City Manager and considered by the City Commission. Upon roll call upon its passage the following Commissioners voted "Yea": Doyen, Naylor and Hattan. "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 Manager assigned to it No. 2268.

RESOLUTION NO. 627 - RESOLUTION REPEALING RESOLUTION NO. 624

PASSED

The City Manager presented to the Commission a resolution to repeal Resolution No. 624 providing for issuance of Temporary Notes for Project WL-81-1. The City Manager advised the Commission that with the repeal of Ordinance No. 2263, which provided the authorization to issue Temporary Notes by Resolution, that this Resolution was now invalid. He further advised that as a housecleaning measure, action should be taken to repeal this resolution. After a brief discussion motion was made by Commissioner Doyen and seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the Commission that the Resolution No. 627 be adopted, repealing Resolution No. 624.

RESOLUTION NO. 628 - VALLEY STREET WELL HOUSE

APPROVED

The City Manager presented to the Commission a resolution declaring the necessity to make improvements to the Valley Street Well House and authorizing submission of plans and specifications to the Kansas Corporation Commission. The City Manager advised the City Commission that this resolution replaces the Ordinance and Resolution previously repealed by Ordinance No. 2268 and Resolution No. 627, and that this resolution declares the necessity to make improvements to the Valley Street Well House. 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. 628 declaring the necessity to make improvements to the Valley Street Well House and authorizing submission of plans and specifications to the Kansas Corporation Commission be approved.

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MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 18, 1981 (cont'd)

RESOLUTION NO. 629 - THIRD AND BROADWAY STREET WATER WELL

APPROVED

The City Manger presented to the Commission a resolution authorizing the development of a new water well at a site adjacent to Third and Broadway. The City Manager advised the City Commission that this resolution declares the necessity to make Water Well Improvements at this site, and provides for the submission for plans and specifications and detailed estimates of cost to the Kansas Corporation Commission. Following a short discussion motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried by affirmative vote of the entire members-elect of the Commission that Resolution No. 629 declaring the necessity to make Water Well Improvements adjacent to the intersection of Third and Broadway Streets, and authorizing submission of said plans and specifications to the Kansas Corporation Commission be approved.

CONTRACT FOR A GRAVEL WALL WELL AND PUMPING EQUIPMENT WITH LAYNE-WESTERN, INC. APPROVED

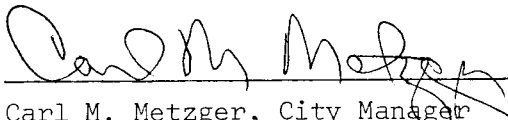
The City Manager recommended to the City Commission that he be authorized to negotiate and execute a contract for the gravel wall well and pumping equipment with Layne-Western, Inc. The City Manager stated that approximately one year ago the City Commission had made the decision to negotiate the development of at least two well sites with the Layne-Western, Inc., Company, following the completion of the City's Test Hole Drilling Program. The City Manager further advised the City Commission that the City Engineer's estimate of cost for this project is \$25,000.00. Layne-Western, Inc. has submitted a bid of \$24,628.00 to develop this well site. After a brief discussion 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 City Manager and City Clerk be authorized to execute the above described contract with Layne-Western, Inc.

STUDY SESSION

DATE SET

The City Manager and City Commission established Wednesday, November 25, 1981 at 1:00 o'clock p.m. as a study session.

There being no further business, motion was made by Commissioner Naylor, seconded by Commissioner Hattan and duly carried that the Commission adjourn, to Wednesday, November 25, 1981 at 1:00 o'clock p.m.

  
Carl M. Metzger, City Manager  
Acting Secretary

(Seal)

CMM:scb

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 2, 1981

The City Commission met in regular session at 4:00 o'clock p.m. on December 2, 1981, in the City Commission Room in the City Hall. Mayor Doyen presided with Commissioners Naylor and Hattan present. Absent: None.

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

Visitors present: Fred DeArmond from The Kansan and Brad Lowell from The Blade-Empire.

Minutes of the November 18, 1981, meeting were approved as written.

AMENDMENT TO FEDERAL REVENUE SHARING BUDGET.

APPROVED

The City Manager announced to the Commission that this was a public hearing held to consider an amendment to the 1981 Federal Revenue Sharing Budget. The amendment would increase the adopted 1981 budget amount of \$53,000.00 to \$59,800.00. Mr. Metzger explained the amendment was necessary in order to purchase a new pickup truck for the Public Grounds Department at a cost savings to the city of approximately \$1,200.00. Following a short discussion, motion was made by Commissioner Hattan, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission, and that as no person was at the hearing to object to the amendment to the Federal Revenue Sharing Budget, the amendment should be approved.

APPROPRIATION ORDINANCE NO. 22-22A

APPROVED

Appropriation Ordinance No. 22-22A was approved according to law.

ORDINANCE NO. 2269 (VACATING ALLEY IN BLOCK 51)

PASSED

An ordinance entitled "AN ORDINANCE PURSUANT TO K.S.A. 14-423, VACATING THE ALLEY IN BLOCK 51 OF THE CITY OF CONCORDIA, KANSAS, AND RESERVING UTILITY EASEMENTS THEREIN, PURSUANT TO K.S.A. 12-512a" was presented by the City Manager and considered by the City Commission. Upon roll call vote upon its passage, the following Commissioners voted "Yea": Doyen, Naylor and Hattan. "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. 2269.

ORDINANCE NO. 2270 (CLAIMS LESS THAN \$1,000)

PASSED

An ordinance entitled "AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER OF THE CITY OF CONCORDIA, KANSAS, TO HANDLE AND SETTLE ANY CLAIMS FILED AGAINST THE CITY OF CONCORDIA, KANSAS, IN AN AMOUNT NOT TO EXCEED \$1,000.00" was presented by the City Manager and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Doyen, Naylor and Hattan. "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 2270.

ENGINEER'S ESTIMATE - PROJECT WW-81-1 (VALLEY ST. WELL)

APPROVED

The City Manager submitted to the Commission the engineer's estimate in the amount of \$14,525.00 for wellhouse improvements on North Valley Street. This Engineer's estimate becomes a part of an application to be submitted to the Kansas Corporation Commission for water well improvements. After a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Doyen and duly carried by the affirmative vote of the entire members-elect of the Commission to approve the Engineer's Estimate for WW-81-1 in the amount of \$14,525.00.

ENGINEER'S ESTIMATE - PROJECT WW-81-2 (WATER WELL IMPROVEMENTS)

APPROVED

The City Manager submitted to the Commission the Engineer's Estimate in the amount of \$34,586.00 for waterwell improvements in the northwest well field and other specified locations within the City to the Commission. This Engineer's Estimate becomes a part of an application to be submitted to the Kansas Corporation Commission for water well and system improvements. After a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission to approve the Engineer's Estimate for Project WW-81-2 in the amount of \$34,586.00.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 2, 1981 (CONTINUED)

ENGINEER'S ESTIMATE - PROJECT WW-81-3 (THIRD & BROADWAY WELL) APPROVED

The City Manager submitted to the Commission the Engineer's Estimate in the amount of \$52,108.00 for water well and wellhouse improvements at Third and Broadway. This Engineer's Estimate becomes a part of an application to be submitted to the Kansas Corporation Commission for water well improvements. After a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Doyen and duly carried by the affirmative vote of the entire members-elect of the Commission to approve the Engineer's Estimate for WW-81-3 in the amount of \$52,108.00.

PETITION TO THE BOARD OF COUNTY COMMISSIONERS ALLEY VACATION

The City Attorney explained to the Commission the need for a petition to be submitted to the Board of County Commissioners for the vacation of the alley in Block 51 between 14th and 15th Streets with utility easements being reserved.

After discussion, motion was made by Commissioner Hattan, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission authorizing the City Attorney to prepare the petition to submit to the Board of County Commissioners and that said petition be signed by the mayor and City Clerk.

STUDY SESSION DATE SET

Motion was made by Commissioner Hattan, seconded by Commissioner Doyen and duly carried to set the date of December 10, 1981, at 12:15 p.m. as the study session.

CONDEMNATION SETTLEMENT ANDERSONS

The City Manager explained to the Commission and the News Media that an agreement had been reached between Glenn and Palma Anderson and the City. The City has paid the Andersons an amount of \$2,000.00 and in return received a permanent easement covering the transmission water line and an area around the Valley Street Wellhouse. As a result of the agreement being reached, the City agreed to drop the condemnation lawsuit pending in District Court against the Andersons. The contractors have been notified that the settlement had been reached and were instructed to begin construction as soon as possible.

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

  
 Verna Scott, City Clerk

(Seal)

VS:kb

The City Commission met in regular session at 4:00 o'clock p.m. on December 16, 1981, in the City Commission Room in the City Hall. Mayor Doyen presided with Commissioners Naylor and Hattan present. Absent: None.

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

Visitors present: Brad Lowell from the Blade-Empire and Fred DeArmond from The Kansan.

Minutes of the December 2, 1981, meeting were approved as written.

CHARTER ORDINANCE NO. 12 (EXEMPTION FROM FIXED ASSET ACCOUNTING)

PASSED

An ordinance entitled "A CHARTER ORDINANCE EXEMPTING THE CITY OF CONCORDIA, KANSAS FROM THE PROVISIONS OF K.S.A. 1979 SUPP. 75-1120, 75-1120A, 75-1121, 75-1122, AND CHAPTER 64, SECTION 5, 1980 SESSION LAWS OF KANSAS, RELATING TO FIXED ASSET MUNICIPAL ACCOUNTING AND AUDIT REQUIREMENTS, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT" was presented by the City Manager and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Doyen, Naylor, and Hattan. "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 Charter Ordinance No. 12.

APPROPRIATION ORDINANCE NO. 23

APPROVED

Appropriation Ordinance No. 23 was approved according to law.

ORDINANCE NO. 2271 (DISSOLVING THE COMMISSION ON AGING)

PASSED

An ordinance entitled "AN ORDINANCE DISSOLVING THE COMMISSION ON AGING ESTABLISHED AND PROVIDED FOR BY ORDINANCE NO. 1908 OF THE CITY OF CONCORDIA, KANSAS, AND REPEALING SAID ORDINANCE NO. 1908" was presented by the City Manager and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Doyen, Naylor, and Hattan. "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. 2271.

ORDINANCE NO. 2272 (FILING FEES FOR ZONING)

PASSED

An ordinance entitled "AN ORDINANCE PERTAINING TO FILING FEES TO BE PAID PURSUANT TO THE ZONING ORDINANCE OF THE CITY OF CONCORDIA, KANSAS, NUMBERED 1829, REPEALING EXISTING SECTION 3 OF ARTICLE XXVII, AND AMENDING SAID ARTICLE XXVII BY ADDING A NEW SECTION, TO BE NUMBERED 3" was presented by the City Manager and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Doyen, Naylor, and Hattan. "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. 2272.

RESOLUTION NO. 630 (NECESSITY OF REPAIRING STREETS)

APPROVED

The City Manager presented to the Commission a resolution of necessity for repair work on Broadway, Washington, State, Cedar, Third and Second Streets approaching Missouri-Pacific, Santa Fe and Burlington-Northern Railroad crossings. The engineer's estimate of cost on this repair work is \$63,693.00 and following a 30-day protest period, an ordinance authorizing the issuance of general obligation bonds to pay for this project may be approved by the commission. Following a short discussion, 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 Resolution No. 630 declaring the necessity for repair work on Broadway, Washington, State, Cedar, Third and Second Streets approaching Missouri-Pacific, Santa Fe and Burlington-Northern Railroad crossings be approved.

RESOLUTION NO. 631 (1982 PAY GRADES FOR CLASSIFIED EMPLOYEES)

APPROVED

The City Manager presented to the City Commission a resolution establishing a schedule of pay grades for classified employees of the City of Concordia. After a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 631 establishing pay grades for classified employees of the City of Concordia be approved.

RESOLUTION NO. 632 (1982 PAY GRADES FOR NON-CLASSIFIED EMPLOYEES)

APPROVED

The City Manager presented to the City Commission a resolution establishing a schedule of pay grades for non-classified employees of the City of Concordia. After a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 632 establishing pay grades for non-classified employees of the City of Concordia be approved.



## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 16, 1981 (CONTINUED)

FINAL COSTS (PROJECT ST-81-1)APPROVED

The City Manager presented to the governing body the following itemized statement of the actual cost of: The grading curbing and surfacing of Sunset Trail from where the apparent south line of Lot 13, Block 3, Lost Creek Hills Addition to the City of Concordia, Cloud County, Kansas, if extended, would intersect the apparent west side of Sunset Trail, as platted; to the apparent north side of the intersection of Sunset Trail and Crescent Lane, as platted; and also Crescent Lane from the apparent east side of the intersection of Sunset Trail and Crescent Lane, as platted, to the apparent south line of Lot 4, Block 3, in said Lost Creek Hills Addition, where said line, if extended, would join with the apparent south line of Lot 21, in said Block 2; all in Lost Creek Hills Addition to the City of Concordia, Cloud County, Kansas, as authorized and ordered done by Resolution No. 610 of the governing body adopted on the 18th day of March, 1981.

<u>Project ST-81-1</u>	<u>Property Assessment</u>	<u>City-at-Large</u>
Excavation	\$ 5,022.50	\$ 0
Subgrade Preparation	2,429.25	0
30" Curb and Gutter	9,847.95	1,158.25
Curb inlet Type A	1,037.00	0
Curb inlet Type B	864.00	0
24" R.C.P.	1,840.00	0
6" Asphalt Pavement	34,009.50	0
¼ Intersection	(2,595.60)	2,595.60
Engineering	3,720.00	0
Legal Services	625.00	0
Administration	3,028.35	0
Interim Financing	6,199.20	0
TOTAL	\$66,027.15	\$3,753.85
TOTAL ALL COSTS	\$69,781.00	

The statement was considered by the governing body and on a motion by Commissioner Hattan, seconded by Commissioner Naylor, and duly carried by the affirmative vote of the entire members-elect of the governing body present and voting, the total cost of the improvement was determined to be \$69,781.00. The City Manager had determined the assessment against each lot, piece or parcel of land deemed to be benefited in the manner set forth in said resolution and had caused to be prepared and filed with the City Clerk an assessment roll according to the method of assessment set out in said resolution. On a motion by Commissioner Hattan, seconded by Commissioner Naylor, and duly carried by the affirmative vote of the entire members-elect of the governing body present and voting, this governing body determined to meet and consider the proposed assessment on the 6th day of January, 1982, 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 was 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.

WATER SYSTEM STORAGE STUDY-CONTRACT WITH WILSON & CO.APPROVED

City Manager Metzger explained to the City Commission the need to develop either new water supplies and/or storage facilities for the future needs of Concordia. He explained he had contacted Wilson & Co. of Salina and they were prepared to review the city's needs and would prepare a study for the City for a total estimated cost of \$3,200.00 and the study would be completed within sixty (60) days of the City's authorization to proceed.

After a lengthy discussion, motion was made by Commissioner Hattan, seconded by Commissioner Doyen and duly carried by the affirmative vote of the entire members-elect of the Commission that the City Manager and City Clerk be authorized to execute a contract with Wilson & Co. to study the water storage needs for the City of Concordia.

LICENSE - CEREAL MALT BEVERAGE - CYNTHIA L. COX DBA THE STOREAPPROVED

The City Manager presented an application from Cynthia L. Cox dba The Store to retail cereal malt beverages in closed containers, a Class A license. This license application has met all legal requirements and the City Manager recommended its approval. A motion was made by Commissioner Hattan, seconded by Commissioner Doyen and duly carried by the affirmative vote of the entire members-elect of the Commission to approve the license application.

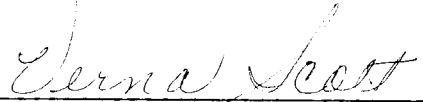
BUILDING PERMIT - CO-OP (FARMLAND INDUSTRIES)

DISCUSSION

The City Manager addressed the City Commission and news media with information concerning a building/zoning permit for the construction of a new facility to be located at 315 N. Broadway. He stated that the permit had been issued and construction would begin as soon as it could be scheduled by Farmland Industries.

ADJOURNED MEETING

There being no further business, motion was made by Commissioner Doyen, seconded by Commissioner Naylor to adjourn the meeting until 12:15 p.m. on December 30, 1981 at which time the Commission would hold their annual year end meeting.



Verna Scott, City Clerk

(Seal)

VS/kb

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD DECEMBER 30, 1981

The City Commission met in adjourned session on December 30, 1981, at 12:15 o'clock p.m. in the City Commission Room in the City Hall. Mayor Doyen presided with Commissioners Naylor and Hattan present. Absent: None.

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

APPROPRIATION ORDINANCE NO. 24

APPROVED

Appropriation Ordinance No. 24 was approved according to law.

FUEL BIDS

DISCUSSION

The City Manager advised the Commission that a new procedure for purchasing gasoline was being implemented effective January 1, 1982. He noted that the City had received fuel bids from five local distributors at a considerable savings to the City with the low bid for the month of January being \$1.14 per gal. for regular gasoline and \$1.19 per gallon for unleaded gasoline and if the trend continues, the City could realize a \$2,000.00 savings for the year 1982.

1982 CITY LICENSE RENEWALS

APPROVED

The City Manager presented the following list of 1982 City Licenses to the City Commission for their consideration and approval:

<u>Business</u>	<u>Amount Paid</u>
<u>CLASS B BEER</u>	
The Concordia Country Club, 600 W. 13th	\$ 150.00
Loyal Order of Moose, 115 W. 5th	150.00
Hillcrest Lanes, 1909 Lincoln	150.00
The Smoker, 109 W. 6th	150.00
B.P.O. Elk's Club #586, 6th & State	150.00
VFW Club Post #588, 105 W. 7th	150.00
American Legion Post #76, 506 Washington	150.00
Lynn's Broadway Lounge, 418 Broadway	150.00
Milt's Recreation, 115 E. 6th	150.00
Pizza Hut, 1431 E. 6th	150.00
Mom & Pops #2, 1315 Lincoln	150.00
Old Opera House Mall Co., 105 E. 6th	150.00
<u>CLASS A BEER</u>	
3-M IGA, 307 W. 6th	50.00
Boogaart Super Market, Alco Plaza, 1301 E. 6th	50.00
Boogaart Super Market, 7th & Washington	50.00
Discount Gas, 8th & Lincoln	50.00
Love's Country Store, 1301 Lincoln	50.00
Paul McGannon's Apco Serv. Sta., 13th & Lincoln	50.00
The Store, 6th & Lincoln	50.00
<u>PLUMBERS/GAS INSPECTORS</u>	
Eldon Budreau, RR #2	30.00
Izzy's Plumbing & Heating, 610 E. 7th	30.00
McDonald Plumbing & Heating, 910 Mound	30.00
Clark Plumbing & Heating, 120 W. 6th	30.00
Demanette Appliance, 128 E. 6th	30.00
Whitney Plumbing & Heating, 127 E. 6th	30.00
Jerry's Electric, 103 E. 6th	30.00
AAA Plumbing & Heating, 426 E. 8th	30.00
Jewell Plumbing & Heating, 1405 Lincoln	30.00
Reutzel Service, 233 E. 16th	30.00
Derowitsch Construction, Box 486, Belleville, KS 66935	30.00
Co-op Service Assn., 5th & Broadway	30.00
<u>GAS INSPECTORS</u>	
Culbertson Electric, 106 W. 6th	15.00
Gary Plunkett, D/a/a Plunkett Plbg. & Htg., Minneapolis, KS	15.00
Sewer/Plumber License	

## 1982 CITY LICENSE RENEWALS (CONT.)

<u>Business</u>	<u>PHOTOGRAPHERS</u>	<u>Amount Paid</u>
Pfuetze-Bergman Studio, 516 Washington		\$ 20.00
Shugart Studios, Box 580, Loveland, TX 79336		20.00
James Bell, 1916 Lincoln		20.00
Olan Mills Photography, 323 Mt. Vernon Ave., Springfield, Ohio		20.00
Switzer Studio, 8th & Cedar		20.00
Kinderfoto International, Inc., Box 7161, Charlott, NC		20.00
Jones & Presnell, Box 32217, Charlotte, NC 28232		20.00

MISCELLANEOUS

Lloyd Koerber, d/b/a Skateland, Clyde, KS 66938	40.00
Martin Molter, d/b/a M & N Iron & Metal, 407 Cedar	20.00
Allen Huff, d/b/a H & H Taxi, 515 Matthew	50.00
Lagasse Auctioneer Serv., 425 E. 11th	45.00
Duane E. Donovan, Rt. #1, Bloomington, Nebr. 68929	25.00
Kenneth J. Johnson, d/b/a Johnson Auction Serv., Ames, KS 66931	30.00

AMUSEMENT MACHINES

Milton Chilcott & Marjetta Williams, d/b/a Milt's Recreation	
3 pool tables @ \$12.00	36.00
American Legion Post #76, 506 Washington	
1 music machine @ \$20.00	20.00
VFW Post #588, 105 W. 7th	
1 music machine @ \$20.00 and 1 pool table @ \$12.00	32.00
Clyde Lewis, d/b/a The Smoker, 109 W. 6th	
5 pool tables @ \$12.00	60.00
Lynn Taylor, d/b/a Lynn's Broadway Lounge, 418 Broadway	
3 pool tables @ \$12.00, 1 music machine @ \$20.00, 2 amusement machines @ \$25.00	106.00
Pizza Hut, 1431 E. 6th	
1 music machine @ \$20.00	20.00
Gerald Danielson, d/b/a Hillcrest Lanes, 1909 Lincoln	
12 bowling alleys @ \$15.00, 4 pool tables @ \$12.00	228.00
David Hughes, d/b/a Mom & Pops #2, 1315 Lincoln	
2 billard tables @ \$12.00, 4 amusement machines @ \$25.00, 1 pool table @ \$12.00, and 1 music machine @ \$20.00	156.00
Hughes Entertainment (Moose Lodge)	
2 amusement machines @ \$25.00, 1 music machine @ \$20.00	70.00
Boogaarts of Concordia- 7th & Washington	
1 penny ride @ \$3.00	3.00
Boogaarts of Concordia, 1301 E. 6th	
1 penny ride @ \$3.00	3.00
Jim Persinger, Milt's Recreation, d/b/a Persinger, Inc.	
2 amusement machines @ \$25.00, 1 music machine @ \$20.00	
1 billard table @ \$12.00	82.00
Jim Persinger, Firebird Lounge, d/b/a Persinger, Inc.	
1 music machine @ \$20.00	20.00
Jim Persinger, B.P.O. Elks, d/b/a Persinger, Inc.	
1 music machine @ \$20.00	20.00
Jim Persinger, Hillcrest Lanes, d/b/a Persinger, Inc.	
2 billard tables @ \$12.00, 4 amusement machines @ \$25.00	
2 music machines @ \$20.00	164.00
Jim Persinger, Taco Grande, d/b/a Persinger, Inc.	
1 music machine @ \$20.00, 1 amusement machine @ \$25.00	45.00
Jim Persinger, American Legion, d/b/a Persinger, Inc.	
1 pool table @ \$12.00	12.00
Jim Persinger, CCCC, d/b/a Persinger, Inc.	
2 pool tables @ \$12.00, 4 amusement machines @ \$25.00	124.00
Jim Persinger, Lester's Sweet Shop, d/b/a Persinger, Inc.	
2 amusement machines @ \$25.00	50.00
Jim Persinger, Gizzmo's, d/b/a Persinger, Inc.	
8 amusement machines @ \$25.00, 1 music machine @ \$20.00	220.00
Jim Persinger, The Store, d/b/a Persinger, Inc.	
2 amusement machines @ \$25.00	50.00
Jim Persinger, Laundromat, d/b/a Persinger, Inc.	
1 amusement machine @ \$25.00	25.00

After a brief discussion, 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 above described 1982 City Licenses be approved.

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD DECEMBER 30, 1981 (CONT.)

RESOLUTION NO. 633 (CITY-COUNTY LAW ENFORCEMENT CENTER AGREEMENT)

PASSED

The City Manager presented to the Commission a resolution to extend the Interlocal Agreement between the City and the County dated March 5, 1980 regarding the tenancy of the Law Enforcement Center structure for one month to expire on January 31, 1982.

After a brief discussion, at which time the Commissioners were informed that the City Manager and County Commission were working out the details of the forthcoming agreement, motion was made by Commissioner Hattan, seconded by Commissioner Naylor and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 633 extending the present agreement dated March 5, 1980 until January 31, 1982, be passed.

ORDINANCE NO. 2273 (VALLEY STREET WELL IMPROVEMENT TEMPORARY NOTES)

APPROVED

An ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE MAKING OF IMPROVEMENTS TO THE WATERWORKS SYSTEM OF THE CITY OF CONCORDIA, KANSAS, IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS THEREFOR HERETOFORE APPROVED BY THE STATE CORPORATION COMMISSION, AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF TEMPORARY NOTES TO FINANCE THE COST THEREOF UNTIL SUCH TIME AS GENERAL OBLIGATION WATERWORKS BONDS OF SAID CITY ARE ISSUED TO PAY THE COST THEREOF" was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Doyen, Naylor and Hattan. "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. 2273.

ORDINANCE NO. 2274 (THIRD & BROADWAY WELL IMPROVEMENTS TEMPORARY NOTES)

APPROVED

An ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE MAKING OF IMPROVEMENTS TO THE WATERWORKS SYSTEM OF THE CITY OF CONCORDIA, KANSAS, IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS THEREFOR HERETOFORE APPROVED BY THE STATE CORPORATION COMMISSION; AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF TEMPORARY NOTES TO FINANCE THE COST THEREOF UNTIL SUCH TIME AS GENERAL OBLIGATION WATERWORKS BONDS OF SAID CITY ARE ISSUED TO PAY THE COST THEREOF" was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Doyen, Naylor and Hattan. "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. 2274.

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

*Verna Scott*

Verna Scott, City Clerk

(Seal)

VS:kb