

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 2, 1985.

The City Commission met in regular session at 4:00 o'clock p.m. on January 2, 1985 in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Racette present. Absent: None.

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

Visitors present: Dallas Nading from The Kansan, Brad Lowell from The Blade-Empire, Alvine Odette, Vivian Almon, Mary Jewell Pae, Leota Ruder, Rachel Cottam, Vane Schierbaum, Lawrence LeSage, Louis Christensen and Ray Ferron.

AUDIENCE WITH VISITORS

PROTESTING CABLECOM RATES

Leota Ruder, representing the Silver Haired Legislature was present along with 8 others protesting the proposal presented by Cablecom for expansion of the system along with the anticipated raise in monthly rates. Ms. Ruder also presented to the Commission a petition signed by 101 persons protesting the increase in the basic rate charge of \$2.75 per month. Ms. Ruder stated most persons signing the petition would be faced with hardship of trying to meet the additional cost of this service based on their fixed income.

Rachel Cottam stated she felt they should fix up their present system that she was having a lot of trouble with the stations she was now receiving. Lawrence LeSage wanted to know what the entire offer was.

City Manager Metzger explained the proposed expansion and informed him that the entire system would be re-wired.

Following a lengthy discussion about the proposal and the change in rates, Mayor Smith informed the delegation that no immediate decision would be made, but that a public meeting would be held to get input from all segments of the Concordia community before a decision would be made.

STUDY SESSION

DATE SET

The Commission set the date of January 9, 1985 at 11:00 o'clock a.m. as the next Study Session date.

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


Verna Scott, City Clerk

(Seal)

VS:lf

MINUTES OF THE SUTDY SESSION MEETING HELD AT 11:00 O'CLOCK A.M. ON JANUARY 9, 1985.

The City Commission met in Study Session at 11:00 o'clock a.m. on January 9, 1985 in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Racette present. Absent: None.

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

Visitors present: Dallas Nading from The Kansan, Jim Lowell and Chris Black from the Blade-Empire, Bill Danenbarger from Radio Station KNCK-KCKS, Boyd Dochow, Bob Ballard, Ray Houser, Leon Gennette, Arnold S. Krob, Lenard LeDuc, Fred Modlin, Howard S. Budreau, Terry P. Flinn, Alden G. Dick, Steven B. Horkman, Rick Breault, Dennis Rohr, Lowell Thoman, John Laman, Ron Kuhn, Dennis Grummert, Robert Steimel, Cher Olson, Ross A. Olson, Larry Blochlinger, Bill Lagemann, Don Lackamp, Eric Steffes, Larry Letourneau, Dana Brewer, Lee Doyen, David Carlgren, Danny Farha, Gene Leonard, James Ihrig, John Watson, Christine Tyler, Gary Hobbie, Susie Haver, Bron Hutchinson, Gary Nelson and Perry Bemis.

City Manager Metzger announced that the Commission was meeting in unofficial Session. Mayor Smith announced that there was a good sized delegation present and hopefully the Commission could answer all their questions.

Following are some of the questions and answers:

Boyd Dochow: Did the Commissioners ever order the Chief of Police to fire Terry Flinn?

Bill Smith: No. I never instructed Dennis Rohr to fire Terry Flinn. The only thing I said was for Dennis to talk to Flinn and change his bedside manner.

Boyd D.: Did you ever order the police to stay away from Buck n Hams?

Bill: No.

Boyd D.: Is that a fact? Then the Chief of Police must have told us lies.

Ernie Girard: We told him he ought to leave them alone.

Ray Houser: (Questioned why the Commission was interfering with the police department).

Bill: The Commission has received comments from people - fine, upstanding people, all age groups, complaining about the police department.

Ray Houser: Can you give us their names. We, in this room, are fine, upstanding people willing to give our names.

Boyd D.: Are you trying to protect the people out at the Buck n Ham?

Ernie: I'm not protecting them. (We) Need more guidance out there.

Bill: We didn't, not once, tell them to stay away from the Buck n Ham.

Fred Modlin: We have an on-going investigation out there. We knew there were laws being violated out there.

Boyd D.: This meeting you had last Thursday, was that a secret meeting?

David Retter: There is an on-going investigation regarding the alleged meeting and (he instructed the Commission not to disclose information about said meeting.)

Boyd D.: Was there a secretary there to record the minutes of the meeting?

Bill: No.

Boyd D.: Why weren't papers notified and why didn't you have a secretary?

Bill: We were under the impression we could just talk to Dennis about some problems.

MINUTES OF STUDY SESSION HELD AT 11:00 O'CLOCK A.M. ON JANUARY 9, 1985, cont'd.

Bill: This shouldn't be a big issue.

Alden: It's getting pretty deep in here - good thing I wore my boots but I don't think they're high enough.

Ray Houser: Who specifically complained about Officer Flinn?

Bill: I won't be specific. When we had the meeting with Dennis, we're just out for the good of the City.

Fred Modlin: I would listen to the Chief (garbled-discussion on laws).

Bill: I was going under the impression we could just talk to Dennis.....

Ray H.: Why didn't you go to the City Manager?

Bill: We talked to Carl on this matter on Wednesday a week ago. The people have asked us to do something.

Alden D.: Did the City Manager ever give you an answer?

David Retter: (Gave a discussion on open meetings, recording of statements, mentioned a tape recording of meeting).

Alden: Did you attend this meeting? (asked of David Retter)

David R.: I did not attend the meeting, I was on vacation at the time.

Alden: Were any of these statements ever made?

Ross Olson: I'm not well acquainted with all of these laws - but are there statutes on employees?

David R.: There are state statutes and of course, the Charter Ordinance on the City Manager form of government. (He then gave the structure of the City Manager-Commission form of government stating that the City Commission was charged with setting policy but that the City Manager was charged with the day-to-day operation of the City.) The City Commission sets policy - the City Manager was charged with carrying out that policy. Every governing body is different - different expectations - the City Manager carries them out.

Ross O.: Then the Commission works through Carl?

Ray H.: I can't believe this. I personally believe the actions of you three have caused the resignation of Carl Metzger. He's a good man, the community needs him and quite frankly, I'm unhappy about it.

(here is a discussion about tape -couldn't get it all)

Ray H.: Do you deny that you have ever instructed Dennis Rohr or even suggested that Dennis Rohr fire Officer Flinn?

Bill: I never instructed Dennis Rohr to fire Officer Flinn. The only thing I said was for him to talk to him and ask him to change his "bedside manner".

Ray H.: (garbled on tape) then... You have probably violated the open door law. If it is proven by a tape recording that you guys have set there and lied, would you resign from the City Commission?

Bill: I'd resign immediately.

Ray: Did you instruct Dennis Rhor to fire Officer Flinn?

Bill: We never instructed Dennis Rohr to fire Officer Flinn.

Alden Dick: Did you instruct Carl Metzger to fire Terry Flinn? Did you instruct Carl Metzger with those directives?

Bill: I'm not going to answer that.

Alden: I'm asking all the wrong questions.

Ray H.: Ask Carl that question.

Carl: Let me start by saying that my position today - normally I'd be sitting

MINUTES OF THE STUDY SESSION HELD AT 11:00 O'CLOCK A.M. ON JANUARY 9, 1985, Cont'd.

- 2) The second recommendation which I think was a result of a misunderstanding was that Detective Sam Budreau's position be changed, and
- 3) The Chiefs position or role should be clarified and defined.

At that time following these questions and recommendations, my reaction was to take some time to think it over, and return to them today with my response. A subsequent meeting took place on Thursday (garbled - cannot make out)

Ray: I guess I'm confused. On Wednesday you recommended to Carl that (garbled) you recommended that Officer Flinn be fired, and then the next day you recommended that he improve his bedside manner. What's the point? Why don't you talk about it to the Chief if you want him fired. I don't understand it.

Bill: Well, I'll put it this way. After the meeting, we went home and we, well, I myself, felt the first action - that I told him to discharge Terry - was a bit excessive. I think Terry was a good officer - we met with Terry on one or two occasions, and we, my action, I modified my action thinking that Terry was a better officer than I first judged him, just to clean up his ---

Ray: Seems you judged him on street rumors - you have yet to name a name or - you have not justified to me at least, why you wanted him released - he didn't harass anybody - (garbled) - but his "bedside manner" wasn't any good so you wanted him fired.

Bill: (garbled) - could not understand tape.

Don LacKamp: Carl, do you have documentation or evidence supporting that the Commission wanted Terry Flinn removed?

Carl: We had a general discussion as I recall concerning some complaints of individuals - citing various areas where they felt he (Flinn) was over zealous.

(garbled)

Don LacKamp: These 25 or 30 complaints - was this kind of a general criticism? On which this recommendation was based?

Carl: That's a question only the Commissioners can answer(garbled)

Ray H.: How many of this 20-25 have been ticketed by Officer Flinn? Do you have any idea about that?

Bill: I have no idea what it is, but, Ray, I mention again that people that discussed with me and the other commissioners are not what you call your undesirable citizens. They were good, upstanding citizens....

Ray: How could these good, upstanding citizens object to your mentioning their names? It's interesting.

Boyd D.: Carl, do these people have records to show they told the police to stay out of Buck n Ham Palace?

Carl: Boyd - as far as I know -No. You're talking about records.....

(cannot transcribe)

Boyd: (to the Commission) Are you denying you told the police to stay out of the Buck n Ham?

Bill: Boyd, I'll tell you again that I never once told the police that they had a hands-off policy - We -----

Boyd: Girard - Can you say the same thing? Now I'm asking you personally.

Ernie: (garbled) We've had a lot of complaints.

Boyd: You are denying that? This is what I want to know.

Ernie: People all over talk about harassment out there (garbled)

MINUTES OF THE STUDY SESSION HELD AT 11:00 O'CLOCK A.M. ON JANUARY 9, 1985 cont'd.

Bill: Boyd, again, at no time did we tell the police that they had a hands off policy.

Boyd: You never suggested anything at all?

Bill: The only thing we told them is there is a problem go after it - If there is no problem - let that business operate. That's all we told em and I think Dennis will testify to that one.

Dennis: I'll say that (garbled)....I hate to say anything because there's legal implications afterwards, and I've been advised by the County Attorney not to say too much. So-----I am in kind of a quandary as to what to say to that particular question.

Bill: Let me put it this way, Dennis - Did we tell you that at any time - if there was trouble - that we would be behind you 100%?

Dennis: You did tell me you'd be behind me if there was trouble out there. Your problem being you are trying to determine what - or if - there is a problem out there rather than to leave it to the discretion of the police - whether or not we consider it to be a problem - I think that's the big problem.

Bill: Did we not tell you that the Commission was behind you 100%?

Dennis: In a sense - in one way- Yes., and in another sense there would be a contradiction in other words (garbled)

Sam Budreau: I think at this point in time the Committee (meaning Commission) ought to know, and I don't think Chief Rohr is in a position that he can discuss it freely because of possible criminal litigation against the committee (Commission); but there is a tape of that meeting and it does explicitly determine what was said and it is being turned over to the County Attorney's office.

(garbled conversation - cannot make out)

Ross Olson: In looking back on these comments and questions today, I'm a little bit personally disappointed in what I'm hearing - maybe from a professional approach - if one day you have asked Carl to do something and then the very next day - go to a supervisor, it appears that Carl wasn't given time to pursue the request of the Commissioners or if you had a change of heart, why didn't you go back to Carl?

Bill: First of all, Carl was sick that day, second of all - Dennis, at about 11 o'clock in the morning came to my house with Steve (Horkman) to talk to me about his problems.

Ross Olson: So Carl had already visited with him?

Bill: I would imagine - it had to have been because Dennis was knowledgeable of the situation.

Dennis: I was aware of the circumstances and I talked with Sgt. Horkman and we went to the Mayor's house to try to get some input put in because we felt this thing was getting totally out of hand and was going to cause some very serious problems and it was our business to talk to the mayor to maybe perhaps he could talk to the other two commissioners and get this thing back into perspective. Quite frankly, I didn't find the conversation with the Mayor - to the receptiveness that I had anticipated and Sgt. Horkman was there with me during that conversation. He can verify whatever was said. We have recorded after that, what was said with that particular conversation as well. Again, I hesitate to divulge the context of that conversation in its entirety because of the possible litigation.

Lee Doyen: I served about 7 years down here - Are you going to hire a new city manager and give him back his authority instead of trying to run the show yourselves? (garbled)... We had a lot of conversations with Carl - (cannot understand tape) I think the City Manager position needs to be put back into perspective - I hope you can find somebody as good and qualified as he is - they are not out there easy to find - and I hate to see this - Nobody wants to come up here and be a city manager under these circumstances. I hate to see 7 or 8 years - 10-11-12 years go down the drain just because of these kinds of actions and so I just stand up for good government and we need to hire another good man like Carl and you guys are going to have a challenge or are you trying to do away with this kind of government by having these little (----) meetings? That's all I ask.

MINUTES OF THE STUDY SESSION HELD AT 11:00 O'CLOCK A.M. ON JANUARY 9, 1985, cont'd.

Bill: Lee - At no time did we want to shove Carl around or push him around or do anything like that. All we were out for was the good of the City, and we brought to Carl problems that we had been hearing -- Our intentions were to have the best for the City of Concordia.

Boyd: There must have been a little bit of pressure there - has to be part of the reason he's leaving. There had to be pressure. There had to be something there.

Ron Kuhn: What is this difference of philosophy that was alluded to in the paper last night as Carl's reason for leaving?

Bill: Carl?

Carl: I guess, Ron - one of the areas we discussed before the meeting was in the area of personnel - that I think one of the fine lines that has to be walked in the Commission-Manager form of government is this line between policy and administration. It is very specific with reference to personnel. There is the Law (and) a number of books that set forth the duties and responsibilities of the elected officials and the chief administrative officer. In those books it talks about the administration and the city manager. I think one of the problems we had and had not talked about was obviously my ideas and the Commission's ideas in the area of personnel. I believe the Commission feels it would like to have a stronger voice when it comes to personnel matters. I might go further and say some city managers simply live and die by that line and if you cross it once its confrontation or crisis. My own personal style is to try and resolve these kinds of problems without creating a crisis, but deal with them effectively - try to see that we do not have a repetition of the problem. As I mentioned earlier when we met last Wednesday, I asked the Commission for a period of time to evaluate the request that they made and gather my wits about me and to come back and say here's my response to what you have asked and here's my decision. I have to say what happened over the week-end is incidental to what happened last week - so the timing of all this is not the best. Having said that, our most critical problems are in the area of personnel administration. The manager - the confidence in the manager - is the key to his performance and the confidence of both the elected officials as his bosses and of the public he serves, if you do not have that confidence or you feel that confidence is in doubt, then I think, at some point, you recognize those circumstances and from my point of view as a professional manager, if I think that my style of management is not as effective as it can be, that hurts the community - so the elected officials need to have the opportunity to find someone who can come in and be effective and to work for the community. I think, all along, that's been the goal of the City - to provide as effective administration as possible. I feel we have done our best. I hope whoever follows me will do his best. This is a good time because we are in transition for the governing body and staff to redefine or perhaps reexamine - not redefine - the role of each within our organization. To re-examine what each is responsible for and what are the relationships so that in the future, if we have differences, if we have problems, those problems will be laid on the table and resolved.

If you act too quickly you can obviously create a community stir with effects which are counter-productive.

Ray: I really believe you fellas have violated the role between Carl and the Chief of Police. Now you haven't heard anyone out here support your actions and I think on losing Carl, he's going to be tough to replace. We're kind of at a critical point - in the economic development area, I've been working with Carl on that - (garbled). The new economic development director came on board last week and its going to be tough for him.....I really urge you to try to get both sides of the story. You're talking to some other upstanding citizens who are not afraid to have you mention their names, and for what its worth, we are happy to give you our opinion, and you can go ahead and use our names - Its okay! I don't think you fellas are qualified to manage the police department or to write a budget.

Bill: Ray, I want to respond to that. First of all, I got here a little early for the meeting today because of what I did read in the newspaper last night and sat down with Carl and I asked him if any of these so-called actions thats been happening in the last week, two weeks, whatever, were responsible for his termination and his response to me was - Bill, my application to this other city

MINUTES OF THE STUDY SESSION HELD AT 11:00 O'CLOCK A.M. ON JANUARY 9, 1985, cont'd.

Ron Kuhn: Well, now that you know there are these philosophical differences, how is that going to affect your relationship with the new city manager? (garbled)..... Who has the authority to make the decision on Carl's replacement?

Carl: The City Commission has the authority.

Bill: The City Commission along with the Acting City Commissioner (meant manager). and Carl, if Carl is still here.

Ray: Do you feel you three are qualified to make a decision on a new city manager?

Bill: With the legal help of Dave Retter.

(cannot understand tape)

Larry Blochlinger: Will you have an acting city manager if you haven't found one by the time?

Bill: Yes. Dave Retter is going to be acting city manager. I think its a good idea (of citizen participation) cause I think its an enormous responsibility for us to pick another city commissioner (manager). I think we should go out into the community and have a community - just more or less - the way you - the end result to hire any man would not be Carl's decision. It would be a collective bunch of citizens and I think that should be the way the City Commission should operate under the new manager.

Don LacKamp: You're saying this is the way it should be, is that the way it will be?

Bill: If I have anything to say about it. I think we should have a committee.

Alden: Do you need volunteers?

Bill: Yeah, we do.

Alden: I volunteer.

Bill: Yes Sir. I don't relish the responsibility of hiring a new city manager and I don't think none of us do. Its a huge, huge job.

Don LacKamp: Would it be fair to ask Carl Metzger to give you a hand in appointing a committee?

Bill: Now wait a minute. Carl are we violating anything? Maybe we'd better ask Carl.

(Discussion on whether to select 5 or 7 members - several people talking)

Carl: (long discussion)....If he was a new city manager coming to town and knew that the previous city manager had set on the selection committee, I would not be totally comfortable with that. I think the total process needs to come from the elected officials who make the policy and also your responsibility for the hiring to these people.

Dave R.: You might give instructions to Carl to formulate a proposed plan, to set some parameters, to get people involved, how do you go about the selection process. Need to select a task force or whatever and based on your format, modify it (cannot understand tape) and operate with that.

Ray: Now, I think everybody agrees we're going to hire a professional person next time. Is that true?

Bill: Definitely. We are definitely going to hire a professional person. You know as well as I do that the office that Carl is holding will be an enormous job for a person just coming off the street.

Ernie: Wait a minute - before you answer. Ray, how many are on the Industrial Development committee?

Ray: 4 or 5 elected and 2 ex-officios.

Bill: Would you feel comfortable with a half dozen?

MINUTES OF THE STUDY SESSION HELD AT 11:00 O'CLOCK A.M. ON JANUARY 91, 1985, cont'd.

Bill: If you get any more than that _____, you probably should be an odd number - 5 or 7 - or something like that, but I'm more than happy to share the responsibility.

Ray: I have one more thing to say - Just from a citizens point of view, it appears to me Carl has come across as a victor of the people, and last week you may not have agreed with me, but as near as I can tell, we've got an excellent police chief, and I really think he should be permitted to manage his department.

Bill: I'm going to say that again - never once did we tell Dennis that he was not able to handle his department....the only thing -----

(garbled tape)

Ray: Yeah, Yeah - But you're not being specific. From the reports from Mr. Rohr - crimes down, often we have only one patrol car on and I think he does a good job.

Bill: I'll agree with you (garbled), I only want the finest for our police - in no way did I ever think a problem I thought was so small would blossom into something this big.

Ray: I have 24 employees, but when you recommend that a man be fired, I don't think thats small. You're talking about that man's record. Okay, say Dennis said, Okay you bet, Flinn you're fired, that goes on that man's record. I don't think you had a reason to fire the man from what I've heard here today.

Bill: As I said I had modified my decision that just to ask Terry Flinn to clean up his act.

Ray: Terry, you gonna clean up your act?

Terry: What act? What act?

Bob Ballard: You told Dennis to tell Terry to clean up his act, did you give him specifics that he did wrong, to tell Terry what he was doing wrong or did you - I understand you did not give him any names of anybody that he could interview to find out what he was doing wrong.

Bill: I - we - we - we all make mistakes (garbled) we just asked Dennis to - for lack of a better word to (?????) his bedside manner. There's gotta be a better word.

Dennis: I'd like to make a comment. You know - I do not enjoy bringing things of this kind of conflict - Individually, I get along with the City Commissioners quite well. The problem being is that I felt that the integrity of our police department was being lessened, and that the City Commission had improper perspective of the functions of the police department and it is relevant to say thats how the general populace perceives it. I think we've worked very hard to provide a good police force and you know, we are a very strong record keeping department. We can show, we have been very heavily involved in the last couple of years with the community - working with kids - I mean all kinds of projects. When you take the number of manpower we have and the things we do - I challenge any --- on the street to find another department that performs the community services that we do. What else that distresses me is the fact that when we have an officer that is causing problems - people come to me. I'm accessible. I belong to a lot of organizations, I'm out on the street, my officers are around. I have not got any complaints on Flinn. Now, on other officers I have - and I've dealt with that problem and I'm concerned with the fact that if I'm not getting any complaints, why are they not there? Why are they being specifically directed to the Commissioners? If there is something wrong. I just felt the community has to know - at least I felt in my mind anyway, that the community has supported the police department and if theres a problem, we need the community behind us, but I don't feel we are a separate entity from the community. I feel that we are very much a part of this community and I want to continue that type of relationship - in my working relationship. And another thing that comes to me too -- is when my men, if they're being attacked or whatever - I am Chief of Police - if I can't stand behind my men in that department, I gotta resign. That is my responsibility, to my men. I know I'm responsible to the public too, I've got 7,000 bosses out there, there's no doubt about that. And I'm responsible to the Commission, I'm

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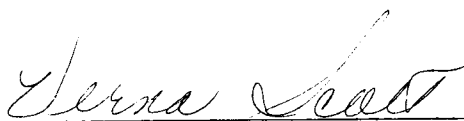
citizens involved in the process and I'm gonna do this in the future any time we have an opening. Get the citizens involved - help me pick those officers. I'm really not here because I have any personal feelings _____ commission, because like I said, personally I get along with them quite well. But I think we've got a real conflict here in my perception of managing the department and theirs, and I just need the community support on this to verify where we are and what direction this community wants to take toward the type of service they want. That's basically where I'm coming from.

Bron Hutchinson: I've seen this thing happen before and I think (cannot understand) I realize you work along with the type of government set up. The three commissioners there and the rest of us public and they are receiving things from the public and trying to act upon them - which is what you did. It's what you have done before on other issues. However, when you get 25 calls from a populace of what, 7,000 people, and just - it's hard to - and just decide to let somebody go or recommend this or that. That's where I think the problem is (garbled) that the City Commission should look at both sides - or take a rational view or ask somebody else or try to get an informed opinion. Now, I've seen it before too. This is my biggest gripe about this happening. I've seen the city manager (cannot understand), I've worked with him and I think he's good, and he is responsible for you too, and it sounds to me like he didn't go along with your feelings, I don't know, and now you've been called up here to stop and think again and maybe, and maybe see if there was another side to the story. 25 people, or 30 people, calling in shows to me that maybe there's a special interest group, directing their calls towards you. And I think that's something every City Commission should be very wary of. Sure -- you have special interests and you can go get 25 friends to call in, but there's always two sides and sometimes more to a story.

Arnold Krob: Mr. Mayor - I served under two city managers and both those city managers hammered away and there was no question and I'm including Carl - for having known him while he was here, and respect him greatly, that he probably wasn't quite that forceful, but they hammered away at this fine line that he's talking about, administrative personnel, - I can sympathize with you on how frustrated you were. I even came to the City Commission meeting one time with a giant eraser and said "let's erase that damn line and get down to business." They laughed at me. It was the wisest thing they ever did. You stay on your side of the fence and let us stay on our side of the fence. I have two recommendations I'm going to give to you - 2 suggestions. First one is that you pay very, very careful attention to the transcript of what Carl Metzger said awhile ago. You go over that and over that and over that until you can recite it verbatim., and Secondly, that you adhere to what he said. That you're setting policy up there, let your city manager carry it out, take care of personnel, in holding secret meeting, whether you felt they were secret or whether they were not, but if there's anything redemptive about today, it is that perhaps (garbled) you learned your lesson, you stay on your side of the fence and let the city manager stay on his side. If he does his work and you do your work, then you'll have much stronger and better form of city government.

Bill: I - in no way, wanted to violate that fine line - and in no way did I think that I was violating that fine line. The thing is, that the 3 of us, staying united. The only thing we wanted was a better Concordia - not once did we try to run the government ourselves or even think about running the operation ourselves. The only thing is that we wanted the best Concordia there is and if we did wrong which I know in my mind, I still feel in my mind, I did not do wrong - the only thing is I wanted the best for Concordia.

(Everybody got up and left).



Verna Scott, City Clerk

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 1985

The City Commission met in regular session at 4:00 o'clock p.m. on January 16, 1985 in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Racette present. Absent: None.

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

Visitors present: Brad Lowell from The Blade-Empire, Dallas Nading from The Kansan, Wendell Wilson from KNCK-KCKS, Dennir R. Rohr, Boyd Dochow, Howard S. Budreau, Susan Retter, Ross A. Vanderham, Tom McDaniel, Ross Hatfield, Jack Gould, Deanna Buckland, Ron Buckland, Donna Budreau, Vesta Rohr, Lois Horkman, Howard Blachly, Ray Liedtke, Alvin Paquette, Wade Moss, Gerald Brown, Stefan Carlgren, Alden G. Dick, Ward Hormel, Bob Nicholson, Larry Blochlinger, Gerald Marcotte, Ron Kuhn, Glen Strang, Willis Winter, Casey Winter, Tom Johnson, F. E. Jones, Lowell Thoman, Delmer Thoman, Gary Hobbie, Galen Deneault, Rodney D. Howard, James Douglass, Richard Eakins, Art Eakins, Gene Leonard, Dutch Shunn, Steven B. Horkman, Chris Black, Bob Ballard, Everett Morgan, Gloria Smith, Vera Girard, Diann Ruzicka, Bob Ruzicka, Gertrude Do chow, J. Melvin Decker, Jr., Terry P. Flinn, Ray Houser, D. L. Layton, Galen LaBarge, Greg A. Sulanka, Robert H. O'Connell, Robert Demanett, Gary Ashland, David Bodine, Fred Balthazor, Wayne Breault, Jerry Ruud, Bill Sanders, Lou Frohardt, Oliver Delforge, Greg Hattan, Ted Krone, Ona Mae Eustice, Norman Eustice, John Laman, Lori Thoman, Tim Belden, Don LacKamp, Loren Dochow, John Watson, Ron S. Fielder, Lynn Mosher, V. O. Braun, Ken Goff, Richard Eby, Lowell J. Moon, Bryant Thurston, Kent Williams, David Hughes, Douglas Swihart, Ron Joyner, Steve Kindel, Eric A. Johnson, Henry E. Shockley, Ronald J. Johnson, Lee W. Doyen, Bill DeArmond, William Berner, Denise Aggson, Lowell E. Owen, Larry Watts and Phil Detrixhe.

Minutes of the January 2, 1985 meeting were approved as written.
Appropriation Ordinance No. 1 was approved according to law.

OPERATION AND MAINTENANCE ASSURANCE STATEMENT

AUTHORIZED TO SIGN

The City Manager presented to the Commission an Operation and Maintenance Assurance Statement covering swimming pool improvements made in the 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. Motion was made by Commissioner Girard, seconded by Commissioner Racette and unanimously carried authorizing the Mayor to sign the Operation and Maintenance Assurance Statement.

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, 1984 to December 31, 1984:

Amount	Fund	Due Date	Interest Rate %	Interest Received	Original Term
\$ 6,577.36	Wt. Dep.	9-30-84	8.00	91.35	Passbook
35,831.00	Cem. End.	4-06-86	10.50	1,881.13	30 Months
36,085.26	Sm Animal Tr	10-16-84	8.75	242.22	28 Days
300,000.00	Misc.;W/S	10-11-84	9.76	2,727.45	34 Days
200,000.00	Misc.	10-19-84	9.51	1,823.84	35 Days
50,000.00	Misc.	10-31-84	Varies	513.68	Day-to-Day
250,000.00	Misc.	10-31-84	Varies	741.71	12 Days
125,000.00	Misc.	10-05-84	9.30	668.84	21 Days
425,000.00	Misc.	10-31-84	Varies	3,237.08	Super Saver
12,281.53	Sm Animal Tr	11-13-84	10.45	639.95	182 Days
36,327.48	Sm Animal Tr	11-13-84	8.75	243.84	28 Days
250,000.00	Misc.	11-30-84	Varies	1,856.85	Insured Invest
425,000.00	Misc.	11-30-84	Varies	3,008.53	Super Saver
Varies	Misc.	12-01-84	Varies	515.01	Checking Acct.
300,000.00	Misc.;W/S	12-10-84	9.76	4,813.15	60 Days
425,000.00	Misc.	12-31-84	Varies	2,967.87	Super Saver
Varies	Misc.	12-30-84	Varies	357.02	Checking Acct.
250,000.00	Misc.	12-31-84	Varies	1,629.35	Insured Invest
TOTAL INTEREST RECEIVED - FOURTH QUARTER				27,958.87	

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 1985 (Cont'd)

INVESTMENT OF IDLE FUNDS
QUARTERLY REPORT
FOURTH QUARTER
December 31, 1984

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

Amount	Fund	Due Date	Interest Rate	Bank	Original Term
CERTIFICATES OF DEPOSIT:					
\$300,000.00	Misc.;W/S	2-10-85	9.00	Cloud Co. Bank	31 Days
49,492.80	Sm Animal Tr.	5-14-85	9.75	Cloud Co. Bank	182 Days
35,831.00	Cem. End.	4-06-86	10.50	Cloud Co. Bank	30 Months
\$385,323.80					

INSURED INVESTMENTS:

\$250,000.00	Misc.	-0-	Varies	Cloud Co. Bank	N/A
425,000.00	Misc.	-0-	Varies	First Bank & T	
\$675,000.00					

PASSBOOK:

\$ 7,670.45	Wt. Dep.	3-30-85	8.00	Cloud Co. Bank	Passbook
1,067,994.25					

This report discloses all current investments of the Idle Funds of the City of Concordia as of the above date.

/s/ Carl M. Metzger	/s/ Verna Scott	/s/ Rebecca Leon
City Manager	City Clerk	City Treasurer

VS:lf

The City Manager presented the above investment reports indicating to the Commission that there had been a 33% increase in investment earnings between 1983 and 1984 and that the total investment earnings amounted to a 2 mill decrease in property taxes.

PRESENTATION OF RESOLUTION TO HIRE PROFESSIONAL CITY MANAGER

LARRY BLOCHLINGER

Larry Blochlinger presented to the City Commission a resolution from the Governmental Affairs Division of the Chamber of Commerce. The resolution reads as follows:

GOVERNMENTAL AFFAIRS DIVISION
CONCORDIA CHAMBER OF COMMERCE

At a regularly scheduled meeting of the Governmental Affairs Division of the Concordia Chamber of Commerce, on January 8, 1985, the following resolution was made, seconded and unanimously approved:

WHEREAS, the members of the Governmental Affairs Division feel that the community has benefited from the responsible and enlightened efforts of professionally educated and trained city managers, and

WHEREAS, the Governmental Affairs Division feels that the efforts of professionally educated and trained city managers will be essential for the future welfare of the community,

IT IS THEREFORE RESOLVED that the Governmental Affairs Division considers the employment of a professional city manager to be of vital interest to the community and recommends to the City

MINUTES OF REGULAR CITY COMMISSION MEETING HELD January 16, 1985. (cont'd.)

The resolution had been unanimously approved by the members of the Governmental Affairs Division of the Chamber of Commerce.

The Mayor accepted the resolution on behalf of himself and the Governing Body.

STUDY SESSION

DATE SET

The City Commission set the date of January 24, 1985 at 11:00 o'clock a.m. as the next Study Session.

AUDIENCE WITH VISITORS

Mayor Smith announced to the audience that it was time for them to speak up, that they had probably come up to say something.

Boyd Dochow: On the minutes of the meeting on January 9th, I asked you a question, Bill, if you ever ordered the police to stay away from Buck n Hams.

Bill: Just a minute, Boyd, what page are you on?

Boyd: On the front page of the minutes of January 9th.

I'll read it to you.

Boyd: Did you ever order the police to stay away from Buck n Hams? Your answer is No. On down, again I'll read "We didn't, not once, tell them to stay away from Buck n Ham Palace." Now I want to go to Page 5 of the transcript of January 3rd. You made a statement there Bill, and I'll read it. Well I don't know the duties of a policeman, I don't know what the duties of a policeman is. I want to go on over to Page 18 and there's an article there that I want to read - and you say if they have a legitimate reason - to out there, but if you don't know what the duties of a policeman are, what is a legitimate reason? That's what I couldn't figure out. And then you go on to say - if not, stay the hell away from that poor club. They deserve to be operating the same as I do or the same as any other place. Would you say that that is a right quote or not?

Bill: No sir, I would not. The way I was in meeting with Dennis Rohr and I told him over and over again, and I told him that - it states in here somewhere - that if there is any trouble anywhere, there wasn't a Commission member that would not stand behind him.

Boyd: I'm not asking you that, I'm asking you if that statement - if not, stay the hell away from that poor club.

Bill: Boyd, maybe that was a poor thing to say, stay the hell away, but I said if there is a legitimate reason - go out there and the Commission feels strongly

Boyd: But you don't even know what the duties of a policeman are, how can you say that?

Bill: I do know what the duties of a policeman are.

Boyd: I can only read your statement.....if you don't think that's a statement, well, then lets turn the page over to 19, and this is your statement and I will read it - "Well, thats why we are here now, now when we get finished with this meeting, we've laid things out to you that we have heard and we feel very strongly about. Now it's up to you to carry out the orders." Is that a direct order?

Bill: No.

Boyd: Well, I guess I'm kinda crazy then, but it sounds that way to me.

Bill: It was not meant to say - carry out the orders. If it was stated in this thing.....

MINUTES FO REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 1985 (cont'd.)

Bill: No...its not...excuse me Boyd, its not in the workings of the government that I give a direct order to...a city employee.

Boyd: I know that but you stated that once here....

Bill: That's not what I intended to say....I stated and its stated back on what-ever page - 18, if you have a legitimate reason to go out there, go out there.

Boyd: I wonder what a legitimate reason is.

Bill: Anything that would be .. that any officer would think would be in violation of a law. Anything at all. We've expressed...

Boyd: How are they gonna find that out if they don't go out there?

Bill: We did not put a hands-off policy on the Buck n Ham. We said and we even said that we're all behind you in making bar checks around the city and stuff like that...

Boyd: If not, stay the hell away from that poor club.

Bill: I'm sorry.

Carl: For the purpose of the minutes, it would be helpful if you could identify yourselves.

Fred Balthazor: My name is Fred Balthazor, I've lived away from Concordia for about 6 or 7 years and I moved back in August. Since I've been here the concept that I get is that the police are totally against the young population of the town and it seems like the only time - they're always out there at Buck n Hams. I don't know if they would hassle other clubs as much as they do that club, I'd think we'd be hearing from the other clubs. That's all I have to say. That's my opinion. They are picking on a certain group. If it was equal throughout the community I wouldn't gripe one bit, but it seems like they are picking on one certain group and I have to voice my opinion. I hear gossip in this town.. the gossip in this town is ridiculous. People get the words bent so much out of shape. You hear one thing from one person and you hear another thing from another person. These rumors get around, and I guess the police get a hold of these rumors. (cannot hear tape) I'm totally for the Police Department, I just wish that they'd be a little bit equal in their _____. That's all I have to say.

David Hughes: Can I get there just a second? My name's Dave Hughes..I run Mom and Pops. They closed me. 5 days. They got me. They didn't want a fine, because I hired my people. I hire them...I tell em, you don't sell to minors. I give \$150,000 for that - you think I'd sell to a minor? They put me out...they wanted my license. The City here. I invite all policemen - if you don't have a policeman come to them clubs, well...(_____). I want one to come all the time. If you don't have a policeman, you've got one mess. One helluvamess. And I want the policeman, but I didn't want them to get my license. It cost me \$5,000 to keep my damn license. All they need is a fine, I don't think we need these bars closed... Concordia's got a lot of empty places. What I wanta know, why didn't they just warn me or fine me or come out and help me find these kids. They can get ID's, I've got drivers licenses here thats ID's that they can get made and then when Daddy and Momma knows it, why they get rid of them. Once your ID'd in my place, you can come in and we'll sell beer to you. We cannot keep that... we need the police to help us, I ask them to come out - and help us. I don't want them to close me, they can fine me, but not take my license. If they took my license, I've got two bars - one at Clyde and one here. If they take my license thats my life's work. I've worked all my life to try to get these. If they fine me just because I have bad help, see you can't hire people that's just everybody. So, and its hard to tell the difference between a 17 and a 20 year old kid. And they've got their brother's ID or they got We've got a business, we pay taxes here and you check up and see how much money we pay every year, we need the policeman's to help us so any time a policeman wants to come into my place, I want him to come in there. Anytime. But I want to be fined, I don't want them to take my license, because that's my life, that's my whole life. So I, I ,,,,just,,,any law officer, I'm glad to see him come out there about a quarter to 12. It helps. It's not cause their drunk, they help back out, they just.... they help. Now I don't think any place should have to be barred from them.. my place, Bucking Ham's, I think they oughta be able to go into the Bucking Hams any time they want to, they can go anyplace they want to.

Dennis: Bill, I have some statistics here - some facts, and the officer that made quite a few of the checks and from June to December of this year he made 8 checks at Bucks, he made double that many at Mom and Pops, 23 of them at The

 MINUTES OF REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 1985, (cont'd.)

Dennis: On this officer's statistics here, I did not find where he made any club checks in that particular area. Of course we respond to areas where they are having problems. I don't know of any other club when you drive by at 3 o'clock in the morning and the parking lot is full. I don't know of any club that we have had the problems of vandalism, theft, fights, _____ in a period of time. Its the nature of a police officer to investigate and check places where there are problems....you do that. If you don't have a problem at a place, I'm not so sure that you respond as much as another place.

Ray: Mr. Mayor...Ray Houser... I think we're getting off on a tangent here. I think those of us that are concerned ... are probably...we're not in a position to know if the police department is performing properly or whether they're harassing The Bucks or The Office, sounds like they're harassing The Office... but you know, if they are harassing a particular club or not performing their duties properly, drinking on the job, or pulling their guns on kids or hasseling someone, I think this is a problem to be dealt with.... But I think the concern is to many of us here is that the City Commission broke a law, a law they should have known better.

Bill: Excuse me Ray, let me stop you right there. No legal action has come down on us.

Ray: Never the less, you violated the open door policy, and secondly, there's a statute, I believe, that directs you to work through the City Manager. You don't really have the authority to directly instruct Dennis Rohr how to run his department. I don't think you have the ability or the knowledge, and I'm not sure Carl does. I think Carl is responsible for hiring accountable people, and the police chief is responsible for managing his department and I don't think you fellas really have the knowledge, the day-to-day working knowledge or the ability to sit down with Dennis Rohr, and suggest to him a particular officer be chastised based on a couple of calls you've had that can't be documented or mention names... Ah, I think if the Police Department is screwing up, then it should be dealt with, but I think the way you dealt with them is what the problem is...it's kinda scary, I think if you have a problem with the police department, if you have a problem in the water department, or if you have a problem in the fire department, let's sit down with the city manager and identify the problem. We don't even know if there's a problem. We've had some calls, some concerns. It's the city manager's job to solve the problem. It's not your job to come out here and try to manage the police department, the fire department...those are our concerns...that you have violated a couple of laws, maybe they haven't been proven yet, maybe charges won't be filed. I don't know anything about that. I'm not an attorney, but I know what the laws are that you didn't adhere to, you circumvented Carl and tried to deal directly with personnel in various departments, and this is not the way its supposed to be done and you tell us you know that... and that concerns us. I think Carl has assembled some good people...yeah, I told you last Wednesday that as far as I can tell, Hell I don't know. But, it appears they do a pretty good job... and I'm not qualified to know, but again I think Dennis Rohr is a good police chief, and I think Mike Peterson, Verna Scott and I hate to start mentioning names because I'll forget someone, but I would hate to have the good employees that are left in the City to start wondering, what next? You lose this guy, you lost that guy...we've lost the best guy, certainly one of the best that we've had. Again, only Carl Metzger knows to what degree his departure has been influenced by your actions. But these actions didn't happen overnight, these things have been happening. Again, Carl's gone. We can sit here and talk all day about whether our police force, you know, whether you received a ticket, don't like one,... but again I think the problems we're concerned with that has happened, you're attempting to manage the City, to solve the problem, to circumvent the city manager, have closed sessions, you know that's why we're concerned. Okay?

Bill: Okay, Ray, I want to back up a little bit and tell you and tell everybody else the happenings before this meeting took place. On Wednesday, January 3rd, Dennis Rohr and Steve Horkman came up to my house about 11 o'clock and wanted to talk about some problems that Carl and Dennis talked over. I talked to them - oh approximately say an hour or so Dennis? -

Dennis: 40 minutes.

Bill: 40 minutes to an hour. At the end of the meeting between me and Dennis

MINUTES OF REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 1985, (cont'd)

Ray: I can understand why Dennis might be concerned because prior to that you had instructed Carl Metzger to fire Officer Flinn without really any justification. I can understand why Dennis might be a little apprehensive...

Bill: Let me back up, ah, No, we did not discuss the idea that it was a good idea or bad idea and 2, in the process of this short conversation between me and Carl, there was no mention from Carl that there might be a rule violation if I did meet....

Ray: He was ill, maybe he wasn't thinking.

Bill: Well, that may be..

Ray: Did you not know that you were violating that law?

Bill: No Sir, we did not.

Ray: You didn't know Ernie?

Ernie: No sir.

Ray: Ernie, you didn't know you were violating the open meeting law?

Boyd: How many boards have you been on Ernie?

Ernie: Bill has a deal about the open meetings law.

Alden Dick: Mr. Mayor. None of us here are qualified to be a jury at large towards this City Commission. I don't want to take that position.... (cannot understand) I'd rather - want just a clarification - I've met a lot of people in this community that never talked to me before today. And, a lot of phone calls and I appreciate that. And there's a lot of ignorance running around. It's incredible, but I remember at the meeting a week ago Wednesday, the Study Session, we talked about that if, in fact, the City Commission was in violation of the open meetings law, and the city ordinances about the responsibilities of the city manager and the City Commission, what would be your position if, in fact, you were found in error. Remember?

Bill: I remember something to that effect.

Alden Dick: Okay, and Commissioner Girard said I would resign and Commissioner Smith said that I would resign, but Commissioner Racette did not respond. And, what I would like to ask is what would be his response to that same kind of question, if you were found in error, would you be willing just for credibility purposes, I suspect, to leave the City Commission on your own?

Bill: Could we go on to another question and then come back, cause I want to look up the exact thing according to the minutes. Verna, do you?

Verna Scott: I don't have them here...

Bill: I would like to be sure that is exactly the thing that was said when Commissioner Girard and Me said we would resign.

Alden Dick: That you would be willing to.

Carl: Bill, its on page 2.

Bill: It says Ray Houser - something - then you probably violated the open door law. If this is proven by tape recording that you guys have sat there and lied, would you resign the City Commission? I said Yes. But I did not lie.

Alden Dick: I guess what I'm asking is that we're operating on the basis of conjecture here because nothing has been proven.

Bill: That's right.

Alden Dick: At least as we know....but there are allegations. Yes?

Bill: Yes.

Alden Dick: I would like a response from Mr. Racette in terms of what that means ...if that is not legitimate at this time, I'm willing to forego that, but I think its an important question. Its one of the reasons that I'm involved in the recall. It is basically the reason because I know the city manager will be hired

 MINUTES OF REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 1985, (cont'd)

Bill: He's asking you.

Armand: I think that should be left to the people that voted for me.

Alden: As I understand it, you're up for election again in 86? or 87?

Armand: I think if the people are willing to leave me here, I would represent them.

Alden: So what's you're saying is, if I understand this correctly, you'll (applause).

Alden: Maybe those folks can answer it better...I don't know. I just would like to know...that you would not feel if, in fact, there was a conviction of some kind, the moral compulsion to say, Hey...this isn't going to work.

Armand: I imagine if a conviction came down forcing me to do so, I would, Yes.

Alden: Okay. Thank you.

Bill: I want to clarify something too, Rev. Dick, and it said "If I lied" then I would resign.

Alden: I understand that.

Bill: I just want to clarify that. Okay, you got a question?

Deanna Buckland: First off, I want to say that I support the Commissioners to fulfill their duly elected jobs. They are elected by the people of this City, I can understand Mr. Houser's position, but I don't think he has as many votes as they have quite frankly. If he wants to do...be a city manager...or a _____ commissioner _____.

Ray: I have no interest in that.

Deanna: Another thing I'd like to mention is this thing about the open meeting law. Just in the last few weeks - the State Board of Regents was in violation of the open meeting law and none of them had to resign. They merely were fined \$100, and I think this whole thing is totally blown out of proportion....(cannot understand) As far as the police department goes, I have yet to see anybody, any organization, in any department that is totally perfect. They've done good things, they've done bad things. I personally happen to know of a few of the bad things. I would go into them, but at this time, I'd rather not because if we chose to I think there's grounds for legal action against the police department. I think everybody here ought to stop and take a look at what's going on. Elected officials get put into this position by other people _____ see for sure why they're being put there. _____ What's behind it? Who's behind it? and for what reasons. To me, I've got a big question in my mind about a meeting being held to discuss a problem that existed, it was to be tried, discuss it out, and find a solution to it. And suddenly, low and behold, it was tape recorded secretly. Now to me that says something to me about the _____ the law. Now you know where I stand on this so I'll sit down. (applause).

Boyd: I still wonder why you're so dead set against the police going out to Buck n Hams.

Bill: Boyd, I've heard that more times than you have. Anybody else?

Ona Mae Eustice: I feel that anybody who is in public office is mainly there because no one else wants to do it and they can all criticize whoever is there. I....ah...feel sorry for people in public office because there's nothing hidden from everybody else. Everyone can go to the Elk's, the Moose, Buck n Ham, and everyone can sit in their homes and criticize of what they do. I feel bad about that because, I, myself, would be criticized if I was in your place. I couldn't be in your place because I would get mad and probably swear at a few people, probably the Blade would be full of things...you know.....but I think the police department in this town is doing the best they can. There are young people who are on drugs, who are drinking and are on drugs...who need to be tromped down on. There are older people who have driven home so many times that

MINUTES OF REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 1985. (cont'd)

GlemStrang: Mr. Mayor?

Bill: Yes Sir.

Verna: I need a name.

Bill: Would you state your name please.

GlemStrang: Maybe you folks can clarify something for me, I was under the impression that the Constitution of the United States allows us, as citizens, the right to represent us..... The things I hear today ... sounds like we don't have the right to determine which direction this town is going.(can't understand)

Bill: You want clarifications? I have to go to that corner for clarification. Dave, Carl?

Carl: Basically, the rights that you've cited in the Constitution. Cities are created by the states, they are not authorized under the constitution so they are created through the authority of the State of Kansas. In the case of Concordia - there is a form of government that exists in Concordia that the voters of Concordia in 1949 adopted this form of government. And with the form of government comes certain statutory prescribed duties and responsibilities of both the elected officials and of the appointed officials... and for 36 years now the City has been governed through that form of government.

GlemStrang: May I ask you a question?

Carl: Sure.

Glenn: How can the citizens, how can Concordia change the form of government?

Carl: Well its always available to change the same way it was adopted - by referndum vote of the people.

Glenn: How do you get it on the ballot?

Carl: Well you'll have to go to an attorney to ask him that question, I'm not going to supply a legal opinion right here - I'm not qualified.

Bill: Anybody else?

David Hughes: Can I ask another question? Does any of you officials have any interest, money wise, in Buck n Hams?

Bill: None whatsoever.

Ernie: None.

Bill: None whatsoever.

Bill: I think all three of us need to answer.

Ernie: I said No.

Bill: Anybody else?

Jack Gould: Everybody knows my name. Bill? What about this recall petition on Armand?

Bill: I know very little on it. I'd have to ..

Jack Gould: Now what if they get their _____? Are you two other commissioners going to go along with this?

Bill: Are we going to go along with it?

Jack: Yeah.

Bill: I do not understand the workings of the recall... I have not had a chance to examine it. I'll have to go over here to the legal department again.

Jack Gould: The man was elected by a big margin...and why should he be picked on and not you other guys?

MINUTES OF REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 1985, (cont'd.)

officials recall. The statutory provisions call for the creation of a three person committee to file a recall petition stating the grounds that they feel justifies the recall. The person who is being recalled is given an opportunity to respond to those grounds _____ if I'm not mistaken. _____ will be posted at the polling places along with the petition with the contents of the request for the recall. The function of the recall vote really is not to elect someone else to fill that position, but simply a vote to determine whether or not the person who is being recalled stays in office. It's similar to what we do with our judges - every once in awhile they stand to determine whether or not we are going to keep them in office. If he survives the recall election, he'll serve out his usual term. If he does not, we would have a vacancy that would be created on the Commission that would be filled by the remaining two commissioners.

Jack Gould: Who is on this committee?

David: On which committee?

Jack Gould: To bring this recall in?

David: The petition is filed with the County Election Officer and you'd have to check with the County Election Officer on the petition particulars, and the people who are on the committee. That is all a matter of record, you'd have to go take a look. I don't know.

Alden Dick: Mr. Mayor

Bill: Yes Sir.

Alden: I'd like to respond to that. I am on the recall committee and I'm Alden Dick... and I'll be glad to share with you why it happens to be Armand Racette on the recall. No. 1, as I understand it there is a statute that says when you are within so many days of an election upon which an official is eligible for re-election or election, he cannot be recalled... and Ernie Girard is up for re-election. Then the question was asked - referred to earlier, about what you would do in terms of just your own integrity if there was a conviction, Mr. Smith and Mr. Girard both said they would resign. Mr. Racette chose to remain silent and not respond to that. ..and that is an important issue to me. Because it not only involves the next city manager, but it involves some of the directions that maybe some of the department heads in this city will go. I don't have any trouble with the City Commission giving input to the departments in this town, I think they have that responsibility to do that, but also to do it within the guidelines that are established. So that is my own personal feelings about that. That is why I'm involved in this. I do not know Mr. Racette very well, except to say "Hi" to him at the hospital when he worked there. I have nothing personal.....if somebody else does, that's their problem, not mine. So that is why I'm involved.

Bill: Okay, Ray, I think you have something to say.

Ray: I think Alden pretty well covered it, Bill. As you know Ernie is not eligible for recall so it was between you and Armand and you and I had a conversation last Wednesday after, you called me after the meeting. I think your attitude is sincere, you know, I've never questioned that you - all three of you really want the very best for Concordia. _____ There are two different philosophies here - there are two opinions. And that's positive, that's what makes the world go around. Deanna Buckland and her group disagree with me and that's fine. So...we're both entitled to our opinion, but you and Girard _____ and you said "Yeah, I'm sorry if we've done something wrong, we didn't intend to, we were just trying to the best we can" and I don't know Armand either, but Armand has you know, not really said anything. You both offered, we didn't ask for your.... I think the way I phrased the question last week, (cannot transcribe) if you're lying to us, have violated these laws and so forth, would you feel comfortable remaining as city commissioners and you both said "No", and I asked the question of all three of you. When you both said "No, I'd resign", Armand didn't comment and frankly, it's been my attitude that Armand may even ... didn't appreciate or maybe didn't understand the seriousness of the infractions and I think they're serious, Deanna doesn't, you know, I guess everybody has to form their own opinion, but I was concerned that Armand felt he could do these things, in violation of the law, or really didn't fully understand what he'd done.. and that's frankly, in my opinion, why Armand is ...

Ona Mae Eustice: Sir, you just said that you'd had a meeting.

MINUTES OF REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 1985. (cont'd)

Ona Mae Eustice: The Blade just said that Armand had a meeting that was secret ... the Blade said that Armand was on this big deal because he had spoken to people and it was not in a _____ public thing,,, and you just said that you and he had a little tete-a-tete and that was not...

Ray: I'm not on the City Commission.

Ona Mae: How could you speak to him privately when ... and its okay?

Bill: Thats the way the city government works. Any citizen out here in the audience can call me at any - halfway decent time day or night (much laughter) and express their opinion. I also can talk to people.

Ona Mae: Can't Armand....

Alden Dick: Doesn't the _____ say it takes two commissioners discussing city business.. that becomes an open meeting.

Bill: Yes Sir.

Ona Mae: Can't Armand do that also?

Bill: Yes Armand can do that anytime he wants. If he feels that he wants to talk to any citizen.

Jack Gould: If Armand had talked to Mr. Houser, would he get lessons and _____ policies,?

Bill: I can't answer that.

Mr. Mayor?

Bill: Yes Ma'am.

Deanna Buckland: Can you explain to me exactly what you did that broke the open meetings law? It is not illegal to hold a closed meeting in the State of Kansas. Explain what you did to make it.

Carl: I think before you proceed with the answer to that question, there is a presumption there that should be decided and is presently under consideration by the courts - the officers of the courts.

Bill: For that reason I cannot answer that question because we are facing possible investigation.

Deanna: Well, with that answer in mind, then if the recall is on the grounds to me its supposedly illegal. Isn't this whole thing all premature? We'd better find out whether the meeting was legal or not before you start a recall.

David Retter: These are unusual times. (much laughter & applause) to say the least, we are presently, as I indicated at the last meeting treating an investigation by the county attorney's office, we are also facing the possibility of civil litigation. Under those circumstances you're sitting here with a room full of people who are going to be asking you questions that directly bear on the issues that are going to be treated in the civil litigation, if there is any, and the county attorney's investigation that is on-going. Under those circumstances, I'm going to repeat just what we visited about before - individually I might add - you've got three options. You can either discuss the facts in the open meeting or you can choose not to discuss the facts in the open meeting or you can choose to call an executive session and discuss them in the executive session as a matter subject to the attorney-client privilege. My recommendation is that you either not discuss them at all because of the pending investigation or that we discuss it in executive session. The reason for that is that the proper authorities that are going to determine whether or not there has been a violation or whether or not there is going to be a prosecution as a result of alleged violation - _____ haven't made their decision yet - and so based on that I think you ought to wait and see what they are going to do, cooperate with that investigation and it would be my advice not to comment on the facts, any more than what you have - publicly. Now that advice is what was given before and that advice still stands.

Bill: In comment to Dave's..... I will agree to that about the matters that are under investigation from the attorney general's office, I will not discuss. The other matters I'm open to discussion on. Deanna, do you want to say something again?

MINUTES OF REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 1985, (cont'd)

investigations that are on-going. The recall is a citizen instituted action that can be done by any interested group of citizens. They have, in the petition they have filed with the election officer, made allegations that they feel are sustainable or I'm sure that they wouldn't have filed the petition. But as far as - I suspect that the Commissioners would like to comment on it. My point is that all of the facts that we'll be talking about relate to the same set of incidents. We're going to be going into a comprehensive investigation with the county attorney's office, that and the attorney general. _____ the response to that is completely aware that we will cooperate with that investigation, and I suspect that the interpretation that we're _____ the facts and so forth are not going to be helpful. The reason for that is that the three city commissioners themselves obviously can't sit in judgment of their actions. So really, what we're talking about here today is philosophical.

Jerry Ruud: Why does Commissioner Racette have to go through a character assassination before a trial? That's what bothers me. Why the recall before the trial? He sets there the same as the rest of them _____

(blank space on tape)

Bill: First of all I'd like to make it very clear that I had nothing to do with the recall. Nothing at all, I might comment on that in answer to your question.

Norman Eustice: How long can this be drug out?

Bill: The recall?

Norman Eustice: Not only the recall, the whole thing with the county commissioners and all, the state statutes here. How long can this - is there a statute of limitations, How long are you going to wonder about one another?

David Retter: We've been in negotiation with the county attorney's office and with the attorney general's office in an attempt to find out as much as we could about what their thoughts were on the actions.

Norman Eustice: You're talking about whether there's been a law broken..

David R.: We've been talking with them about whether there are any laws that have been broken and if so, what they feel would be the appropriate action. There are a range of alternatives that any prosecutor would have in a case like this and they range from a civil suit alleging an open meetings violation to potential for ouster which is also a civil suit, that there would be potential if the prosecutor thought the facts were bad enough to allege even a misdemeanor or a felony criminal charge. Now, that discretion is (pause) and that simply relates to the various remedies that the attorney general's office and the county attorney's office have. What they do in a typical investigation is to analyze the facts they have available to them which, I think this is where the Commissioners will discuss with them freely and openly, discuss those facts and then the Commission - the County Attorney's office with the aid of the attorney general's office, will decide and make a prosecutor's decision as to what they want to do. If they want to file a civil suit just to have an open meetings violation or ouster, or to file criminal charges. Those decisions haven't been made yet - and whether or not there is sufficient evidence to determine whether or not there's even a civil open meetings violation hasn't been ruled on. The prosecutor is going to make that decision and when that decision is made, we'll address whatever is filed and respond to it. That's why commenting on what is taking place, on the facts, is inappropriate right now, because the investigation is not concluded.

Norman Eustice: Well, we have a commissioner now that has filed for re-election. We have one that is on a recall petition. Is there a definite time when this must be settled?

David: You're asking if the....

Norman: Are they going to be in litigation during the recall or election period?

David: I think that could happen because it wouldn't be impossible for an open meetings violation not to be filed for some months, however, I expect it to be sooner. It wouldn't be impossible for civil litigation to wait a year or so before it was filed. So I, first of all, we have no city commissioner nor I.

MINUTES OF REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 1985. (cont'd)

when.. or if so. if they see fit to come and talk to us. We are, as a City Commission, cooperating with the attorney general's office fully in this investigation. Now, Rev. Dick.....

Alden Dick: I'll just comment on a couple of questions about the recall... One is that I hope that we don't have any litigation. I really hope we do not end up that...that the investigation will prove negative and we'll get on with it. But if, in fact, there has been violations I think it needs to be looked at... and the recall story yesterday, that is when the papers were cleared with the county... I have been a lobbyist at the state and I know how exceedingly slow the wheels of government can turn. And if you don't get something moving that you believe in it probably will be delayed and delayed again and you will not get it done. Because we do not want to drag anything out... and very honestly, Mr. Gould, about the recall, I'll be very _____, in terms of my own feelings. If Mr. Racette is willing to take a stand publicly and say that he will have the moral compunction to leave the City Commission if, in fact, there is violation, you'll see me tearing up my credentials on the recall committee because that is what I want to know. Is where he stands and that he is willing to be publicly accountable for that. That's all I need. I'm not into character assassination.

Bill: Excuse me Rev. Dick, also would you put in there that if Armand Racette lied? You asked us that question, you should give Armand Racette the same question.

Alden: He was asked that question a week ago. And I think, my concern is that he was not willing to respond to that ... you know.

Bill: But I think you should ask him the same question that was asked to us and our response to that we would resign....

Alden: I asked him that once today... and I'm willing to ask it again.

Armand: Well, I told you that I would if it was, if it was, ah, if they asked me to, if I was found guilty, what not and what have you, I would be accept my resignation, that I would give you my resignation, the same as the other two guys. I think that's fair enough.

Alden: That's fair enough.

Armand: Now, I have asked Bill here to say something.. I did not know, Mr. Ray Houser, that you wanted to have a talk with me and I want everyone to know that I entertain no enmity or ill will against a soul in this room or in this community. I've enjoyed and tried to cooperate with everyone and I'm not any farther then, from anybody, than the telephone. Any time anyone wants to talk to me, even if they want to chew my tail, I'll listen to them...be glad to.

David Hughes: I need to ask one question...who's going to pay for all of this?

Bill: Who's going to pay for all of what?

David Hughes: The City... for all of this fighting ...who pays that, the City? (cannot understand tape)

Armand: I thought we were all donating our own time.

David Hughes: About all these telephone calls, does the City pay for it or the people that's violated the law?

Bill: I have paid for all my phone calls to the attorney general because they come from my house. The City is not paying for any of it.

David Hughes: Who's going to pay the salary, are we going to pay it?

Bill: No Sir, I will pay my phone calls.

Fred Balthazor: On this recall, does every one vote? _____ in a precinct or is this for everyone in town to vote? If you have a recall, will it just be his precinct?

Bill: No, it'll be the whole town.

Alden: There will be a question on the general ballot in April that would say "Should Armand Racette be retained as a City Commissioner?" That's how it will

MINUTES OF REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 1985, (cont'd.)

Norman Eustice: I would like, maybe, I'd like to know what's going to happen, there's been some talk and some allegations, about what has happened and what is going to happen.

Ona Mae Eustice: Yeah, all we now is what is in the Blade.

Bill: Excuse me, let me clarify something. See this? and its 26 pages long folks, it is a tape recorded session and in this session all we asked that Terry Flinn be counseled by Chief Rohr to become - and I use the word "bedside manner", but that's a poor word, to become more courteous when working with the public. That is all we asked for in this.....

Norman Eustice: Is he still in full capacity at his job?

Bill: Yes Sir.... no action has been taken against Terry Flinn. None whatsoever.

David Hughes: Now another thing, are they allowed to go out to Bucks till this is over?

Bill: They were always allowed to go to Bucks. There was never, I'll say it again, there was never a hands off policy on the Buck n Ham. There never will be a hands off policy...

David Hughes: They can go out there just like they can go anywhere?

Bill: I was trying to say, let the man operate his business.

Dennis: I'm not talking about Bucks - but on Terry Flinn. The reason I became concerned, the reason I recorded that meeting is they had a meeting with Carl and Officer Flinn was to be fired, or a request to that effect, that was putting me in a very bad position professionally should you demand that and it puts Carl in a bad position. My concern is from a professional point of view, _____ and I'm not allowed to follow due process, I have to prove why he must be fired, somebody's going to have me in front of a civil suit of the 1983 Civil Rights Act. Its going to cost any you taxpayers a mint if I do not act properly in this area. You just don't do that. You don't fire people without proof. And that's why I became incensed. I'm not.. you personally, I have nothing against any of these guys, I get along with them quite well, at least I thought I did, but professionally, this is why I have this problem in this area here.... and to protect myself, you know these two gentlemen and myself. You know, you get into situations where things have to be proven verbally and you know, you have to back yourself up.

Bill: Dennis, can I say there was no action taken on the removal of Officer Flinn during this tape recorded session? We never once, and you can answer this, we never once called for Officer Flinn's resignation. Would you like to respond to that?

Dennis: During the tape recorded session, you didn't.

Bill: Thank you Sir.

Boyd: But you had made that demand....

Bill: Yes I did make the demand, but there was no legal action taken on that.... I did that.

Jack Gould: Bill, was that tape recorder legal?

Bill: I cannot answer that question.

Jack Gould: You did not know it was being taped?

Bill: No sir, I wasn't under the impression I was being taped.

Deanna: Mr. Mayor, I would like to just bring up a question if Mr. Rohr wants to protect himself, and the reason he taped you secretly, if he wanted to protect himself openly, _____ why didn't he ask for a written letter from you stating that he fire Officer Flinn which would have done the same thing and been much more professional and would have been much easier for everyone involved.

Boyd: _____ (something like the Commissioners could have done the

MINUTES OF REGULAR CITY COMMISSION HELD JANUARY 16, 1985, (cont'd)

take an affidavit from them. If they don't have our agency to investigate, I'll find another agency that will provide an impartial investigation but there are procedures to be followed. I want facts. You know, if somebody is going to be accused of something, somebody in Flinn's position and they are attacking your integrity and stuff like that, I deal with facts. I work in a very legalistic environment. If I worked any other way, I'd be in a lot of trouble.

Bill: Excuse me Dennis. Officer or Investigator Budreau's position was second in line according to the police, according to the police set up we do not have an assistant chief. We asked Carl Metzger to please clarify what Officer or Investigator Budreau's position is. He did, that is all we had reference to on Officer Budreau.

Dennis: I'm sorry to interrupt but, there was a misconstruement concerning me and the Commission in that area. There was also, you had made a statement that Officer Budreau should be taken out of investigations and put into a patrol/sergeants position and move one of the other patrol/sergeants into investigation. That is another one of my concerns...

Bill: We, more or less, wanted to know just exactly what an investigator.... and now I do know, and I will call Investigator Budreau that title because we do have a spot...I was under the impression that somebody created a new slot which we had no provisions for and I wanted to get his title clarified.

Dennis: It was just a lack of knowledge on somebody's part there to where you find the information was misconstrued. to mean that about my personnel without having any background information. And you were more or less telling me what my personnel should be.

Bill: I never intended to tell you where to put your personnel. We wanted you to tell us what Investigator Budreau's position was. As soon as we understood that he was an investigator, that was the end of the subject according to this 26 page tape.

Dennis: I wanted to explain what my position was and why I was concerned.

Armand: I wanted to say one thing before everybody leaves. The last two lines and I was referring to Officer Flinn. I won't change my opinion of him. He's very observant as an officer, he's very effective and very efficient up to a point.. and I rode with Officer Flinn one evening until about 12:30. Believe me, I enjoyed it and he was very precise in his actions and seemed to me in every way that he knew what he was doing. That's why I gave this last quotation.

Boyd: Did he let you drive?

Armand: No, he didn't let me drive.

Bill: Are there any other questions? We could probably go on endless.

Denise Aggson: I'd like to say...is Terry the only one that makes bar checks?

Bill: Is Terry the only one that makes bar checks? I would hope not, I would hope not, but you'd better ask Dennis that question, I can't answer it.

Dennis: Other officers make bar checks too, but Terry probably makes more than the others.

Denise Aggson: (something about other officers making bar checks)

Boyd: Now here we are advising the police... (laughter)

Denise Aggson: I know, but I agree, he's a good office and I respect all of you for doing, trying to do a good job.

Boyd: And I still maintain - to let him handle the police department.

Bill: Yes Sir:

Glenn Strang: I wondering... this meeting.. did Chief Rohr inform you why he was concerned.

Bill: Did he inform me why he was concerned?

Strang: Yes.

MINUTES OF REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 1985, (cont'd.)

Strang:: Maybe one of the problems we have here is that a helluva a lot of us don't know what the facts are.

Carl: Well again, you're moving into the area that is subject to investigation... and if you get into these areas (mumbled)

Bill: Yes Sir, you in the back row.

Rod Howard: I want you to know I'm not scouting? I do want to say is in the past the City Commission, have held special elections against things that have been voted down and I'll be damned if they didn't pull a sneaky way to do it and that's why this crews in office so we can have the select few get out of the damn circle and the rest us can have a say in something.

Bill: Anybody else?

Tom McDaniel: I don't know anything about anything that is going on here, until the Blade came out with a little article the other day that didn't amount to a darn... (laughter), but usually wherever there's smoke there's fire...and there's smoke up there right now. I personally don't know whether you're guilty or not, but there's static going around and somebody is guilty of something.

Bill: Anybody else? Okay. I have a comment at the end. During the time that I have held this office or been commissioner, at no time have I ever lied to anybody or anything like that. I never...if this is taken that I slandered Officer Budreau, or Officer Flinn..I did not intentionally mean it - in no way did I mean slander - the only reason that I talked to Chief Rohr is for the good of Concordia. If I have harmed Concordia, I'm sorry. That's what I want to say. Now before you folks leave, we are going into executive session because we have another problem in front of us and David Retter, would you like to inform these people.

David Retter: Well, Bill, when you go into executive session, what you need to do is to advise those concerned what the grounds are, why you are recessing into executive session and the time you will come out of executive session. My understanding is that you want to discuss some civil litigation and cover some subjects that are covered by lawyer-client privilege. If that is your motion, and you're going into executive session on that basis, we'll return at about 5:30, and reconvene, we'll just need a motion and a second that we are going into executive session.

Bill: Does that have to carry unanimously or will it just take two?

David: You can pass it by majority vote, but we'll just do it unanimously.

Bill: I make a motion we go into executive session.

Ernie: I second it.

Bill: It's been moved and seconded, all in favor say "AYE".

Bill, Ernie, Armand: Aye.

Bill: Opposed? None. We'll be back at 5:30 folks.

Upon the Commission's return at 5:30,

David Retter: (asked the Commission if they wished to adjourn to another executive session)

(The commission reconvened at 5:30 p.m. and upon motion by Commissioner Smith, seconded by Commissioner Racette and unanimously carried, they recessed into executive session until 5:50 p.m. to discuss pending litigations and matters subject to attorney-client privilege)

Bill: Okay, we're back in Session.

David Retter: My understanding is or my instructions from the Commission with respect to the pending litigation and the pending investigation are as follows: My understanding is that I am going to discuss with the county attorney's office and the attorney general's office the possibility of conceding an open meetings violation on Thursday, which would be

MINUTES OF REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 1985, (cont'd.)

Bill: O.K., on that note....

David: That's my understanding. If that's the action you want me to take, I would like a motion on the records approving to take that action.

Bill: I'll move to that effect.

Armand: Second.

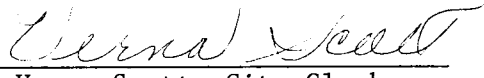
Bill: It's been moved and seconded, all in favor say "Aye".

Bill, Ernie and Armand: "AYE".

Bill: Opposed? None.

Motion carried by unanimous vote.

There being no further business, motion was made by Commissioner Smith, seconded by Commissioner Girard and unanimously carried to adjourn the meeting.


Verna Scott, City Clerk

(Seal)

VS:lf

MINUTES OF SPECIAL CALL MEETING HELD JANUARY 24, 1985.

The City Commission met in special session at 11:00 o'clock a.m. on January 24, 1985 in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Racette present. Absent: None.

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

Visitors present: Brad Lowell from The Blade-Empire, Jack Gould, Tom McDaniel, Jerry Ruud, Dutch Shunn, Jim Perry, Larry Blochlinger, Mike Winter, Dennis R. Rohr and Larry Letourneau.

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

"CALL FOR SPECIAL CITY COMMISSION MEETING

TO THE BOARD OF COMMISSIONERS OF THE
CITY OF CONCORDIA KANSAS:

A special meeting of the board of commissioners is hereby called to be held as follows:

Place: City Commission Room, Second Floor, City Hall, Concordia, Kansas.

Time: 11:00 a.m.

The object of said meeting will be as follows:

1. Acceptance of resignation of Carl Metzger as City Manager;
2. Consideration and passage of proposed resolution creating advisory commission, to provide counsel and advice to the governing body with respect to the selection of a person to succeed Carl Metzger as City Manager.

Dated this 23rd day of January, 1985.

/s/ William B. Smith
Mayor

/s/ Ernest A. Girard
Commissioner

/s/ Armand F. Racette
Commissioner"

NOTICE OF SPECIAL CITY COMMISSION MEETING

City of Concordia, Kansas

TO: William B. Smith, Ernest A. Girard and Armand F. Racette:

You are hereby notified that there will be a special meeting of the Board of Commissioners at 11:00 a.m., on the 24th day of January, 1985, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

1. Acceptance of resignation of Carl Metzger as City Manager;
2. Consideration and passage of proposed resolution creating advisory commission, to provide counsel and advice to the governing body with respect to the selection of a person to succeed Carl Metzger as City Manager.

Witness my hand and the seal of said city this 23rd day of January, 1985.

/s/ Verna Scott
City Clerk

(Seal)

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

RETURN OF SERVICE

The undersigned received the original notice of special City Commission meeting, of which the foregoing is a copy, at 11:12 o'clock a.m. (William B. Smith); 1:21 o'clock p.m. (Ernest A. Girard) and 1:36 o'clock p.m. (Armand F. Racette) on the 23rd day of January, 1985, and:

1. Served the same personally on Commissioner William B. Smith, Commissioner Ernest A. Girard and Commissioner Armand F. Racette.

/s/ Verna Scott
City Clerk

RESIGNATION ACCEPTED

CARL M. METZGER, CITY MANAGER

The City Manager Carl M. Metzger, submitted his resignation effective February 28, 1985. Following a brief discussion, motion was made by Commissioner Smith, seconded by Commissioner Racette and unanimously carried to accept the resignation from Carl M. Metzger, effective February 28, 1985.

RESOLUTION NO. 755

ADVISORY COMMITTEE NAMED TO SELECT CITY
MANAGER

David Retter, City Attorney, presented to the Commission a resolution that he had been directed to prepare at the study session held on January 9, 1985.

Following a lengthy discussion on the number of members needed, the time the Commission needed to be in existence, and how often the commission would need to meet, motion was made by Commissioner Smith, seconded by Commissioner Racette and duly carried by the entire members-elect of the Commission to pass the following resolution:

RESOLUTION NO. 755

WHEREAS, the governing body of the City of Concordia, Kansas has considered and deemed it advisable to form an advisory committee of persons to aid and counsel the governing body in the selection of a City Manager for said City to fill the vacancy created by the resignation of Carl M. Metzger;

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

SECTION 1. There is hereby established the City Manager Selection Advisory Committee (hereinafter, the "Committee"). Said Committee shall consist of five members who shall all be residents of the City of Concordia, Kansas, and all members of the Committee shall serve without compensation.

SECTION 2. The members of the Committee shall be appointed by a majority vote of the City Commission.

SECTION 3. The members of the Committee shall serve until such time as said vacancy is filled, but in no event beyond June 1, 1985, at which time the Committee shall terminate and cease to exist unless the term of the Committee is extended for a subsequent resolution of the governing body of said City.

SECTION 4. Vacancies on the Committee, from whatever cause, shall be filled by the City Commission for the unexpired term. Any member of the Committee may be removed from the Committee prior to the expiration of the term of the Committee by a majority vote of the City Commission.

SECTION 5. The Committee shall elect one of its members chairman and one of its members vice-chairman, who shall hold office until the termination of the Committee. These officers shall be elected at the first meeting of the Committee. An officer or employee of the City designated by the City Manager shall serve as secretary of the Committee.

The Committee shall establish a regular meeting time and place, and shall hold at least one regular meeting per weekly. Special meetings may be called by the chairman, or in the absence of the chairman, the vice-chairman, upon written notice being delivered personally or by mail to each member at least twenty-four (24) hours prior to such meeting.

MINUTES OF SPECIAL CALL MEETING HELD JANUARY 24, 1985 (cont'd.)

A majority of the members shall constitute a quorum and the affirmative vote of a majority of all members is required to take any action. The Committee shall keep an accurate records of its proceedings and transactions.

SECTION 6. The functions of the Committee shall be to render advice and counsel to the governing body of the City of Concordia, Kansas on all matters relevant to the proper selection of a successor to fill the office of City Manager, thereby filling the vacancy created by the resignation of Carl M. Metzger. The Committee shall also perform such other and further functions and duties as may be directed by the City Commission.

In prescribing the above duties of the Commission it is not the intent of the governing body to duplicate or overlap the functions, duties or responsibilities heretofore assigned to any other City board or commission, or to any City department.

PASSED by the governing body and signed by the Mayor this 24th day of January, 1985.

/s/ William B. Smith
Mayor

(Seal)

ATTEST:

/s/ Verna Scott
City Clerk

There being no further business, motion was made by Commissioner Girard, seconded by Commissioner Racette and duly carried to adjourn the meeting.


Verna Scott, City Clerk

(Seal)

VS:lf

MINUTES OF THE SPECIAL CALL MEETING HELD JANUARY 30, 1985

The City Commission met in special session at 11:00 o'clock a.m. on January 30, 1985, in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Racette present. Absent: None.

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

Visitors present: Brad Lowell from The Blade-Empire, Dallas Nading from The Kansan, Tom Fisher, Larry Blochlinger, Ted Krone, Robert Ruzicka, Vane Schierbaum, Orville W. Saffry, Robert Walsh and Gary Nelson.

Commissioner Smith 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 CITY COMMISSIONERS:

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

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

Date: January 30, 1985

Time: 11:00 a.m.

The object of said meeting will be as follows:

1. Discussion of the Cloud County Attorney's Investigation of a Complaint Alleging a violation of K.S.A. 75-4317 et seq., the Kansas Open Public Meetings Statute, to the Cloud County Attorney.
2. Authorization for the City Attorney to Convey the Concordia City Commission's Response to the Complaint Alleging a violation of K.S.A. 75-4317 et seq., the Kansas Open Public Meetings Statute, to the Cloud County Attorney.
3. Discussion of the Appointment of Members of the City Manager Selection Committee.
4. Adjournment to scheduled Study Session originally set for 11:00 a.m. in the City Commission Conference Room.

Dated this 30th day of January, 1985.

/s/ William B. Smith, Mayor

/s/ Ernest A. Girard, Commissioner

/s/ Armand F. Racette, Commissioner"

NOTICE OF SPECIAL CITY COMMISSION MEETING

CITY OF CONCORDIA, KANSAS

TO: William B. Smith, Ernest A. Girard and Armand F. Racette:

You are hereby notified that there will be a special meeting of the Board of Commissioners at 11:00 o'clock a.m. on the 30th day of January, 1985, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

1. Discussion of the Cloud County Attorney's Investigation of a Complaint Alleging a violation of K.S.A. 75-4317 et seq., the Kansas Open Public Meetings Statute, by the Concordia City Commission.
2. Authorization for the City Attorney to Convey the Concordia City Commission's Response to the Complaint Alleging a violation of K.S.A. 75-4317 et seq., the Kansas Open Public Meetings Statute, to the Cloud County Attorney.
3. Discussion of the Appointment of Members of the City Manager Selection Advisory Committee.
4. Adjournment to scheduled Study Session set for 11:00 o'clock a.m. in the city Commission Conference Room.

/s/ Verna Scott
City Clerk

(Seal)

MINUTES OF THE SPECIAL CALL MEETING HELD JANUARY 30, 1985 (cont'd.)

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 Commissioner William B. Smith, Ernest A. Girard and Armand F. Racette, or to leave said notice at the usual place of residence of said Commissioners before 9:00 o'clock a.m. on the 30th day of January, 1985, and to make a return in writing of said service, showing the manner of such service.

/s/ Verna Scott
City Clerk

(Seal)

RETURN OF SERVICE

The undersigned received the original notice of special city commission meeting, of which the foregoing is a copy, at 8:47 o'clock a.m. (Ernest Girard); 8:49 o'clock a.m. (William B. Smith) and 9:03 o'clock a.m. (Armand Racette) on the 30th day of January, 1985, and:

1. Served the same personally on Commissioner William B. Smith, Commissioner Ernest A. Girard and Commissioner Armand F. Racette.

/s/ Dennis Rohr
Chief of Police

ADVISORY COMMITTEE MEMBERS FOR CITY MANAGER SELECTION

DISCUSSED

Mayor Smith requested that the names of Charles Jewell and Robert Ruzicka be considered when the advisory committee members for the city manager selection were made. City Manager Metzger advised the Commission that several members of the community had been contacted and had agreed to serve. No action was taken on the discussion.

DISCUSSION OF CLOUD COUNTY ATTORNEY'S INVESTIGATION
ALLEGING A VIOLATION OF K.S.A. 75-4317 ET SEQ., THE
KANSAS OPEN PUBLIC MEETINGS STATUTE BY CITY COMMISSION

TABLED


Following an adjournment into Executive Session to discuss the Cloud County Attorney's investigation of a Complaint Alleging a Violation of K.S.A. 75-4317 et seq., the Kansas Open Public Meetings Statute, by the Concordia City Commission, motion was made by Commissioner Girard, seconded by Commissioner Smith and duly carried by affirmative vote of the entire members-elect of the Commission to table any action on the alleged violation.

AUTHORIZATION FOR THE CITY ATTORNEY TO CONVEY THE
CONCORDIA CITY COMMISSION'S RESPONSE TO THE COMPLAINT
ALLEGING A VIOLATION OF K.S.A. 75-4317 ET SEQ., THE
KANSAS OPEN PUBLIC MEETINGS STATUTE, TO THE CLOUD
COUNTY ATTORNEY

TABLED

Following an adjournment into Executive Session to discuss the authorization for the city Attorney to convey the Concordia City Commission's response to the complaint alleging a violation of K.S.A. 75-4317 et seq., the Kansas Open Public Meetings Statute, to the Cloud County Attorney, motion was made by Commissioner Girard, seconded by Commissioner Smith and duly carried by affirmative vote of the entire members-elect of the Commission to table any action on the alleged complaint.

There being no further business, motion was made by Commissioner Girard, seconded by Commissioner Smith and duly carried to adjourn the meeting.


Verna Scott
City Clerk

MINUTES OF THE CITY COMMISSION MEETING HELD ON FEBRUARY 6, 1985.

The City Commission met in regular session at 4:00 o'clock p.m. on February 6, 1985 in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Racette present. Absent: None.

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

Visitors present: Brad Lowell from The Blade-Empire, Dallas Nading from The Kansan, Stacey Koling, Buddy Kearn, Lynnette Dyson, Gail Engle, Dennis Rohr, Rod Howard, Kathy Blochlinger, Jill Widen, Karla Peterson, Jennifer Bergeson, Beth Blochlinger, Mike Aytes, Thomas R. Johnson, Terry Tracy, Larry Blochinger and Donald Kerr.

Minutes of the January 16, January 24, and January 30, 1985 meeting were approved as written.

PROCLAMATION

FUTURE HOMEMAKERS OF AMERICA WEEK

Lynnette Dyson, Kathy Blochlinger, Jill Widen, Karla Peterson and Jennifer Bergeson were present to ask Mayor Smith to proclaim the Week of February 11 through February 15, 1985 as Future Homemakers of America Week. The Mayor signed the proclamation.

APPROPRIATION ORDINANCE NO. 2-2A

APPROVED

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

RESOLUTION NO. 756 (REVISING NON-CLASSIFIED EMPLOYEES PAY PLAN-1985)

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 Girard, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 756 establishing pay grades for non-classified employees of the City of Concordia be approved.

CABLECOM PROPOSAL

DISCUSSED

Gail Engle from Cablecom-General was present to ask the Commission when his company could expect a decision regard their proposal that had been presented at the Commission's December 19, 1984 meeting.

Mike Aytes, assistant principal at the Concordia High School was present to ask the Commission not to disregard the high school student's signatures on a survey that had been circulated. He felt that their efforts to teach the students democracy was futile if their opinions were totally disregarded. Mayor Smith informed Mr. Aytes that he had 6 or 7 phone calls from parents whose children had signed the survey in favor of the proposal, when they were, in fact, against the improvements to the cable system stating that the parents were responsible for the costs involved.

Following a lengthy discussion on the matter, Mayor Smith assured Mr. Engle that the matter would be discussed again at the February 13th Study Session with a decision at the February 20th meeting.

Mr. Engle presented a letter to the Commission stating that he felt the Commission should consider Cablecom's proposal based on the merit of the proposal itself, what it would provide the community at large.

Mr. Tom Johnson, a visitor at the meeting, expressed his opinion on the proposed improvement stating he had circulated a survey on behalf of the proposal and hoped the Commission would decide in favor of the proposal.

PURCHASE OF FRONT-END LOADER FOR STREET DEPARTMENT

APPROVED

The City Manager presented to the Commission a proposal to purchase a front-end loader for the Street Department. He explained that Mr. Tom Fisher, Director of Streets had prepared a memorandum stating the repair costs on our present equipment had been \$12,600 from 1980 through 1984. In addition to these repairs, the equipment is needing additional repairs at this time with a price tag of \$9,500.00. The City Manager asked the Commission to consider the purchase of a new front-end loader at a cost of \$43,485 and that the City, through the use of a Special Street Machinery Equipment Reserve Fund, was financially prepared to handle this expenditure. If the Commission will approve this purchase, the City will pay \$20,000 down, out of the Street Machinery Reserve Fund, with the balance through a lease-purchase agreement at 8% interest.

Following a brief discussion on the merits of the purchase of this front-end loader, Commissioner Smith moved that the Commission approve the purchase of the front-end loader from Martin

MINUTES OF REGULAR CITY COMMISSION MEETING HELD FEBRUARY 6, 1985. (cont'd)

LEASE PURCHASE AGREEMENT WITH MARTIN TRACTOR CO., FOR FRONT-END LOADER APPROVED

In a memorandum to the City Commission, the City Manager suggested that if the Commission approved the purchase of the front-end loader for the Street Department, that the balance of \$23,485 would need to be financed through a lease purchase agreement with Martin Tractor Co. This balance would be financed for a period of 5 years at a rate of 8.00% interest and would result in ten (10) semi-annual payments of approximately \$2,900.00.

Following a brief discussion, motion was made by Commissioner Smith, seconded by Commissioner Racette and duly carried by the affirmative vote of the entire members-elect of the Commission to authorize the City Manager to execute a lease-purchase agreement with Martin Tractor Co. for the purchase of a front-end loader with a total lease-agreement amount of \$23,485 to be financed for a period of five years with an annual interest rate of 8.00% to be paid semi-annually in payments of approximately \$2,900.00.

FINAL COSTS (PROJECTS ST-84-1-2, S-84-1 and WL-84-1)
(BUDREAU ADDITION PROJECTS) APPROVED

The City Manager presented to the governing body the following itemized statements of the actual costs of: ST-84-1, 30" curb & gutter, 6" asphalt paving and storm sewer on Russ Street, 9th Street north to boundary of Budreau's Sub-division; ST-84-2, 30" Curb & Gutter, 6" asphalt, storm sewer improvements on Julie Street, 9th North to boundary of Sub-Division; SS-84-1, Extend 8" sanitary sewer, north on Russ Street from Center of 9th Street in Budreau Sub-Division; WL-84-1, 4" water line and fire hydrants and connect to dead end at 8th & Doster along Russ Street, Julie Street, along north line of Budreau Sub-Division, in the City of Concordia, Cloud County, Kansas, as authorized and ordered done by Resolutions Numbered 714, 715, 716 and 717 of the governing body adopted on the 29th day of March, 1984.

PROJECT ST-84-1	PROPERTY ASSESSMENT	CITY-AT-LARGE
30" Curb & Gutter	2,527.00	1,273.00
6" Asphalt Paving	5,644.25	2,843.35
Inlets	1,363.25	686.75
15" R.C.P.	1,220.94	615.06
21" R.C.P.	1,193.01	600.99
12" R.C.P.	133.00	67.00
Excavation and backfill	646.18	325.52
Excavation	383.04	192.96
Subgrade Preparation	274.98	138.52
Printing	55.39	27.90
Supplies	24.01	12.10
Sub-Total	13,465.05	6,783.15
Less Discount (.048278)	224.79	113.24
Engineering	1,088.96	548.57
Legal Services	631.75	318.25
Interim Financing	2,543.13	1,281.13
Total Costs	17,504.10	8,817.86
TOTAL COST OF PROJECT	\$26,321.96	

PROJECT ST-84-2	PROPERTY ASSESSMENT	CITY-AT-LARGE
30" Curb & Gutter	2,527.00	1,273.00
6" Asphalt Paving	5,644.25	2,843.35
Excavation	383.04	192.96
Subgrade Preparation	274.98	138.52
Inlets	1,363.25	686.75
15" R.C.P.	1,220.94	615.06
21" R.C.P.	1,193.01	600.99
12" R.C.P.	133.00	67.00
Excavate and Backfill	646.18	325.52
Printing	55.39	27.90
Supplies	24.01	12.10
Sub-Total	13,465.05	6,783.15
Discount (.048278)	224.79	113.24
Engineering Services	1,087.62	547.90

MINUTES OF REGULAR CITY COMMISSION MEETING HELD FEBRUARY 6, 1985. (Cont'd.)

<u>PROJECT SS-84-1</u>	<u>PROPERTY ASSESSMENT</u>	<u>CITY-AT-LARGE</u>
Trench & Backfill 8 to 10'	187.50	-0-
Trench & Backfill 6 to 8'	241.50	-0-
Trench & Backfill 0 to 6'	44.00	-0-
Sewer Pipe (8")	3,200.00	-0-
Standard Manhole 6'	925.00	-0-
Extra Depth Manhole	90.00	-0-
Cut & Repair Concrete	688.00	-0-
Printing	36.97	-0-
Supplies	100.89	-0-
Sub-Total	5,513.86	-0-
Less Discount (.048278)	259.54	-0-
Engineering services	172.35	-0-
Legal services	250.00	-0-
Interim Financing	935.73	-0-
Total Costs	6,612.40	-0-

TOTAL COST OF PROJECT \$6,612.40

<u>PROJECT WL-84-1</u>	<u>PROPERTY ASSESSMENT</u>	<u>CITY-AT-LARGE</u>
4" D.C.I.	6,594.74	5,098.06
4" Valve	1,243.62	961.38
Valve Box	335.58	259.42
4" Tee	490.68	379.32
4" Fireplug	1,082.88	837.12
Cut & Repair Asphalt	446.69	345.31
4" - 45° bend	112.80	87.20
Reconnect line @ Sta. 7+94	129.72	100.28
Reset Existing Fireplug	203.04	156.96
Cut into Existing Lines	406.08	313.92
Printing	22.85	17.67
Sub-Total	11,068.68	8,556.64
Less Discount (.048278)	533.27	412.24
Engineering	494.18	382.02
Legal Services	535.80	414.20
Interim Financing	1,966.11	1,519.91
Total Costs	13,531.50	10,460.53

TOTAL COST OF PROJECT \$23,992.03

The statements were considered by the Governing Body and on a motion by Commissioner Smith, seconded by Commissioner Girard and duly carried by the affirmative vote of the entire members-elect of the governing body present and voting, the total cost of the improvements were determined to be \$83,246.35. 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 resolutions 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 resolutions. On a motion by Commissioner Smith, seconded by Commissioner Racette, 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 assessments on the 6th day of March, 1985, 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.

ORDINANCE NO. 2399 (WORK PERIODS/RATES OF PAY-POLICE DEPT.)

APPROVED

An ordinance entitled "AN ORDINANCE RELATING TO COMPENSATION OF CERTAIN EMPLOYEES OF THE CITY OF CONCORDIA, KANSAS, AMENDING SECTIONS 3.23 AND 3.24 OF THE UNIFORM PERSONNEL POLICIES AND REGULATIONS FOR THE CITY OF CONCORDIA, (HEREINAFTER, "UPPR"), AS ADOPTED BY ORDINANCE NO. 2334 OF SAID CITY, AND REPEALING SAID EXISTING SECTIONS OF THE UPPR" was read and considered by the Commission. After discussion, a motion was made by Commissioner Smith, seconded by Commissioner Girard and duly carried by the affirmative vote of the entire members-elect of the Commission. With the


MINUTES OF REGULAR CITY COMMISSION MEETING HELD FEBRUARY 6, 1985. (cont'd)

ADJOURNMENT INTO EXECUTIVE SESSION

City Attorney Retter announced to the Commission there was a need to adjourn into executive session. Following this announcement, motion was made by Commissioner Smith, seconded by Commissioner Racette and duly carried by the affirmative vote of the entire members-elect of the Commission to adjourn into executive session for 45 minutes to reconvene at 5:15 p.m. to discuss non-elected personnel matters with attorney-client privileges.

The Commission returned to the Commission chambers at 5:15 p.m. City Attonrey Retter announced that the discussion had not been completed and thereupon, motion was made by Commissionr Smtih, seconded by Commissioner Girard and duly carried by the affirmative vote of the entire members-elect of the Commission to adjourn into another executive session until 5:45 p.m. to discuss non-elected personnel matters with attorney-client privileges.

The Commission returned to the Commission chambers at 5:45 p.m. and there being no further business, motion was made by Commissioner Smith, seconded by Commissioner Racette and duly carried unanimously to adjourn the meeting to February 13, 1985, at 11:00 o'clock a.m.



Verna Scott, City Clerk

(Seal)

VS:lf

The City Commission met in adjourned session at 11:00 o'clock a.m. on February 13, 1985 in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Racette present. Absent: None.

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

Visitors present: Brad Lowell from The Blade-Empire, Dallas Nading from The Kansan, Wendell Wilson from KNCK-KCKS, Kendall Martin, Dennis Rohr, Boyd Dochow, Pauline Christenson, Larry Blochlinger, Gail Engle, Jim Perry, Eunice DeWitt, Opal Owen, Lillie Fief, Leota Ruder, Rachel Cottam, Orville W. Saffry, Clarence Taylor, Norma Nelson, Luella V. Taylor, Lawrence LeSage, Vivian Almon and Vane Schierbaum.

RESIGNATION OF ARMAND RACETTE

ACCEPTED

City Manager Metzger announced to the Commission that he had received a resignation from Commissioner Armand Racette. Following a brief discussion, motion was made by Commissioner Smith, seconded by Commissioner Girard and duly carried by the affirmative vote of the entire members-elect of the Commission to accept the resignation of Armand Racette to become effective upon appointment of someone to fill the vacancy on the Commission.

STATUTORY REQUIREMENTS FOR CITY COMMISSION VACANCY

DISCUSSED

City Attorney Retter reviewed the statutory requirements to fill the vacancy created by the resignation of Commissioner Racette. He stated that K.S.A. 14-1305 reads as follows: In the case of any vacancy from any cause in the office of City Commissioner, the remaining members of the Commission shall within ten (10) days after the occurrence of said vacancy elect some suitable person to fill the vacancy until the next city election, at which time a successor shall be elected to fill the unexpired term, provided there is any portion of said term unexpired, and in case such remaining members cannot agree upon some such suitable person, then they shall call in the City Attorney who shall cast the decisive vote for such appointment. The City Attorney reported there are conflicting statutes covering the appointment of a new commissioner, but that he had requested an opinion from the Attorney General's office and would abide by that opinion.

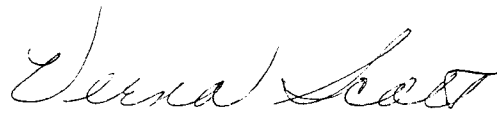
NOTICE OF PUBLICATION-NOTICE OF VACANCY ON CITY COMMISSION

AUTHORIZED TO BE DONE

City Attorney Retter advised the Commission they needed to authorize the City Clerk to prepare a Notice of Vacancy on City Commission to be published and that the notice should state that the vacancy will be filled by appointment by such board not later than ten (10) days after this publication and that the term will be until April 16, 1986 and the remaining term will be filled by election as provided by law.

Following discussion on the matter, motion was made by Commissioner Smith, seconded by Commissioner Girard and duly carried unanimously authorizing the City Clerk to place a Notice of Vacancy on City Commission in the local newspapers.

There being no further business, motion was made by Commissioner Girard, seconded by Commissioner Racette and duly carried to adjourn to a Study Session immediately following the City Commission meeting.



Verna Scott, City Clerk

(Seal)

VS:lf

MINUTES OF THE SPECIAL CALL MEETING HELD FEBRUARY 18, 1985

The City Commission met in special session at 11:00 o'clock a.m. on February 18, 1985 in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Racette present. Absent: None.

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

Visitors present: Brad Lowell from The Blade-Empire, Dallas Nading from The Kansan, and Wendell Wilson from KNCK-KCKS.

Commissioner Smith 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 CITY COMMISSIONERS:

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

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

Date: February 18, 1985

Time: 11:00 a.m.

The object of said meeting will be as follows:

1. Discussion of appointment of Advisory Board members for the selection of a city manager.
2. Discussion of "Letters of Interest" for the vacancy on the City Commission created by the resignation of Armand Racette.

Dated this 18th day of February, 1985.

/s/ William B. Smith, Mayor

/s/ Ernest A. Girard, Commissioner

/s/ Armand F. Ractee, Commissioner"

NOTICE OF SPECIAL CITY COMMISSION MEETING
CITY OF CONCORDIA, KANSAS

TO: William B. Smith, Ernest A. Girard and Armand F. Racette:

You are hereby notified that there will be a special meeting of the Board of Commissioners at 11:00 o'clock a.m. on the 18th day of February, 1985, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

1. Discussion of appointment of Advisory Board members for the selection of a city manager.
2. Discussion of "Letters of Interest" for the vacancy on the City Commission created by the resignation of Armand Racette.

/s/ Verna Scott
City Clerk

(Seal)

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

You are hereby directed to serve the above notice at once personally upon Commissioner William B. Smith, Ernest A. Girard and Armand F. Racette, or to leave said notice at the usual place of residence of said Commissioner before 9:00 o'clock a.m. on the 18th day of February, 1985, and to make a return in writing of said service, showing the manner of such service.

/s/ Verna Scott
City Clerk

(Seal)

RETURN OF SERVICE

The undersigned received the original notice of special city commission meeting, of which the foregoing is a copy, at 8:30 o'clock a.m. (William B. Smith); 8:19 o'clock a.m. (Ernest A. Girard); and 9:10 o'clock a.m. (Armand F. Racette) on the 18th day of February, 1985, and:

1. Served the same personally on Commissioner William B. Smith, Commissioner Ernest A. Girard and Commissioner Armand F. Racette.

/s/ Verna Scott
City Clerk

APPOINTMENT OF ADVISORY BOARD MEMBERS FOR SELECTION OF CITY MANAGERAPPROVED

The City Manger submitted a list of names to the City Commission of persons willing to serve on the Advisory Board for the selection of a city manager. Included on the list were:

INDUSTRIAL DEVELOPMENT COMPANY

Don LacKamp
Jake Swiercinsky
Loren Dochow
Art Slaughter
Robert Nicholson

RECREATION COMMISSION

Margaret Letourneau
Mae LeDuc
Gene Leonard (resigned)
Ted Samuelson
Dennis Rohr (city employee)

AIRPORT ADVISORY BOARD

John Schmitt
Perry Bemis
Ed Pick
Keith Christensen
Bill Fellows
Dr. Carl Newman
Ross Hatfield
Leo Dreiling
Bob Pfuetze
Wade Castonguay

LIBRARY BOARD

John L. Sullivan
Bill Sanders
Ingrid Nelson
Dean Frazier
Donna Berner
Marjean Bemis
Glenn R. Walker

PLANNING COMMISSION

Burton Gerard
Mike Johnston (Outside City)
Karen Dunlap
Gary Hobbie
Ross VanderHamm (Outside City)
Darlene Hepperly

HOUSING AUTHORITY

Raymond LaBarge
Ima Jean Chavey
Dorothy Ostrom

INDUSTRIAL DEVELOPMENT ADVISORY COMMISSIONER

Dana Brewer (Outside City)
Bob Steimel
Bill Lagemann
Danny Farha

BOARD OF ZONING APPEALS

Dr. James Moore
Gary Hobbie (repeat)
Clark Talley
Gene Leonard (repeat)

INDUSTRIAL DEVELOPMENT ASSOCIATION

Bob Steimel (repeat)
Don LacKamp (repeat)
D. L. (Heavy) Layton
Larry Blochlinger (ex officio)
Burton Gerard (repeat)
Ray Houser
Ron Kuhn
C. J. Widen
Stefan Carlgren
Marcie Welch (Outside City)
Leon Gennette
Bill Fellows (repeat)
Dr. James Ihrig (ex officio)
Ross Olson (ex officio-outside city)

CITIZEN'S ADVISORY COMMITTEE

Louis Christensen
Dorothy Ostrom (repeat)
Lorene Fraser
Beth Charbonneau
Ethel Henthorne
Lawrence Hurley
Ima Jean Chavey (repeat)
Bertha Alderson
Boyd Dochow

MINUTES OF THE SPECIAL CALL MEETING HELD FEBRUARY 18, 1985 (cont'd)

Other persons that had been contacted and were willing to serve were previous city commissioners that included Betty Humes, Arnold Krob, Greg Hattan, Lee Doyen and Jake Swiercinsky.

Commission Smith advised that he had been contacted by Charles Jewell, Robert Ruzicka, Ted Krone, Don Schmidt, and Denise Reynolds who were willing to sit on the board. Commissioner Racette suggested the names of Marvin Brummett and Tom McDaniel be added to the list of names.

Following a discussion, Commissioner Smith moved that the Commission approve the appointment of the following persons to sit on the Advisory Board for the selection of a city manager.

Betty Humes
Don Schmidt
Charles Jewell
Arnold Krob
Marvin Brummett

Commissioner Girard seconded the motion. The motion was unanimously carried.

Commissioner Smith moved, with a second from Commissioner Girard and unanimously carried to adjourn the meeting until 2:30 p.m. to discuss the appointment of a new city commissioner.

Smith announced

On February 18, 1985, at 2:30 o'clock p.m. Commissioner Smith announced that the Commission was back in session.

APPOINTMENT OF CITY COMMISSIONERKAREN L. DUNLAP

At the Adjourned Session of the City Commission held on February 13, 1985, the Commission had authorized a Notice of Vacancy be published in the local newspapers requesting "Letters of Interest" from persons in the community willing to serve on the City Commission.

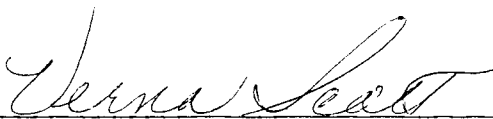
At this time, two Letters of Interest were submitted to the City Commission for their consideration. One letter from Karen L. Dunlap and one letter from a former city commissioner, Gregory L. Hattan.

Following a brief discussion, motion was made by Commissioner Girard, seconded by Commissioner Smith and duly carried by two-thirds of the Commission-elect to appoint Karen L. Dunlap to fill the vacancy on the City Commission with her term to expire in April of 1986. Commissioner Racette abstained from the voting.

DISCUSSION FROM VISITORS

Dallas Nading asked Mayor Smith if the date had been set for the court appearance of all three commissioners. Mayor Smith advised him that they would appear in Court in front of Judge Wahl on February 25, 1985 at 11:00 o'clock.

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



Verna Scott, City Clerk

(Seal)

VS:sb

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 20, 1985.

The City Commission met in regular session at 4:00 o'clock on February 20, 1985 in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Racette present. Absent: None.

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

Visitors present: Brad Lowell from The Blade-Empire, Dallas Nading from The Kansan, Wendell Wilson from KNCK-KCKS, Karen Dunlap, Marvin Dunlap, Toni Dunlap, Dorothy Ostrom, Ima Jean Chavey, James Scott, Dale D. Baumbach, Larry Blochlinger, James C. Perry, Gail Engle, John C. Laman, Larry Uri and Dennis Rohr.

Minutes of the February 6, February 13 and February 18, 1985 meetings were approved as written.

OATH OF OFFICE

KAREN L. DUNLAP

The Mayor announced that Karen L. Dunlap had been appointed to fill a vacancy on the City Commission created by the resignation of Armand F. Racette. Following this announcement, City Clerk Scott administered the Oath of Office to Commissioner Karen L. Dunlap for a term to expire in April 1986.

APPROPRIATION ORDINANCE NO. 3

APPROVED

Appropriation Ordinance No. 3 was approved according to law.

APPOINTMENT OF ACTING CITY MANAGER

DAVID E. RETTER

Per memorandum prepared by City Manager Metzger, Mayor Smith announced that city ordinance provides that if there is a vacancy in the office of the city manager, the governing body may appoint an acting city manager. Following a brief discussion, Commissioner Smith moved that David E. Retter be appointed acting city manager for a term to expire on July 1, 1985 or until a new manager is hired. Commissioner Girard seconded the motion. With all members of the Commission voting in favor thereof, the motion carried.

CABLECOM DEREGULATION

APPROVED

Gail Engle and Jim Perry from Cablecom of Concordia were present to hear a decision from the City Commission on their request for deregulation and a \$500,000 system wide improvement project. This improvement project, when finished, would increase the monthly rates \$2.27. The Commission had heard the proposal from the Cablecom representatives on three other occasions, had received several petitions from interested persons in the community and had promised Mr. Perry and Mr. Engle they would have a decision at today's meeting. Commissioner Smith requested Mr. Perry provide an agreement in writing stating that three conditions be met: 1) No rate increase until the improvement is completed; 2) following the initial monthly rate increase of \$2.27, no additional increase would occur for one full year following; and 3) the cable company would provide a free hook-up to the U.S. Weather Bureau located here in Concordia. Mr. Perry assured the Commission his company would provide those conditions in writing to the Commission.

Following a brief discussion on the matter, Commissioner Smith moved that the request from Cablecom of Concordia be approved. Commissioner Girard seconded the motion. With all members of the Commission voting in favor thereof, the motion carried.

REPUBLICAN STREET AGREEMENTS WITH KANSAS POWER & LIGHT,
CENTEL CORPORATION, CABLECOM OF CONCORDIA, SOUTHWESTERN
BELL TELEPHONE CO., AND THE CITY OF CONCORDIA.

APPROVED

In a prepared memorandum by the city manager, he explained that the Rural and Urban Development Plan agreed to by the Kansas Department of Transportation acting for the City and the Federal Highway Administration requires the City and individual utility companies enter into an agreement relative to occupancy of a City Street for the construction of any FAU sponsored project.

Further, Kansas Statutes and case law provide that certain facilities may occupy space on the City's street right-of-way. All of the utilities cited above have facilities in the Republican Street right-of-way between 11th Street and Campus Drive which is scheduled for improvement this spring.

The proposed agreements provide assurances that the utilities will maintain, adjust or construct their facilities which are to occupy the Republican Street right-of-way as shown on plans for the Republican Street Reconstruction Project and that the cost of the alterations, if any, will be paid for by the utility companies.

Following a brief discussion, Commissioner Smith moved that the agreements with all the utility companies be approved. Commissioner Girard seconded the motion. With all

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 20, 1985. (cont'd.)

members of the Commission voting in favor thereof, the motion carried.

REPUBLICAN STREET FAU RECONSTRUCTION PROJECTAUTHORIZATION AND METHOD
OF PROCEDURE CERTIFICATE

The City Manager presented to the Commission per prepared memorandum the steps necessary to certify the Republican Street FAU Reconstruction project to the Kansas Department of Transportation. The steps are listed as follows:

- 1) That all right-of-way and easements necessary for the reconstruction of the project have been acquired, including legal and physical possession by the City in accordance with the provisions of the Certification of Real Property Acquisition Procedures.
- 2) That any companies owning or operating utilities or other facilities within the limits of the right-of-way, have been contacted and the facilities.
- 3) That the Secretary of Transportation is authorized to proceed to contract for the Republican Street FAU Reconstruction Project and that City funds will be available for the matching of Federal Funds to finance construction work.

Following a brief discussion, Commissioner Girard moved that Authority and Method authorization between the City of Concordia and the Kansas Department of Transportation be approved. Commissioner Smith seconded the motion. With all the members of the Commission voting in favor thereof, the motion carried.

REPUBLICAN STREET FAU PROJECT (ST-84-REPUBLICAN)COST ESTIMATE APPROVED

The City Manager presented to the Governing Body the following itemized estimate of cost for the Republican Street FAU Project that includes the grading, curb and guttering, paving and storm sewer construction of Republican Street from Eleventh Street to Campus Drive located within the City of Concordia, Kansas, as authorized by Resolution No. 726 of the governing body adopted on the 18th day of July, 1984. The FAU Project Number is 15U-0893-01.

<u>Project ST-84-Republican</u>	<u>Total</u>	<u>State</u>	<u>City</u>
Construction Costs	546,404.50	-0-	-0-
Construction (10%)	<u>54,640.50</u>	-0-	-0-
Sub-Total	601,045.00	450,783.75	150,261.25
Inspection	50,000.00	37,500.00	12,500.00
Engineering	35,000.00	-0-	35,000.00
Legal Services	<u>7,000.00</u>	<u>-0-</u>	<u>7,000.00</u>
Sub-Total	693,045.00	488,283.75	204,761.25
Interim Financing (10%)	<u>69,305.00</u>	<u>-0-</u>	<u>69,305.00</u>
Total Costs	\$762,350.00	\$488,283.75	\$274,066.25
Percentage of Costs	100%	75%	25%

The cost estimate was considered by the governing body and on a motion by Commissioner Girard, seconded by Commissioner Smith and duly carried by the affirmative vote of all the members of the governing body present and voting, the total cost of the improvement was determined to be \$762,350.00 with the City responsible for twenty-five percent (25%) of the project and the Kansas Department of Transportation responsible for seventy-five percent (75%) of the project. The City Manager explained to the Commission that the actual costs of the project would probably be somewhat lower than the cost estimate.

ORDINANCE NO. 2400 (TEMPORARY NOTES FOR REPUBLICAN
STREET PROJECT)APPROVED

An ordinance entitled "AN ORDINANCE AUTHORIZING THE IMPROVEMENT OR REIMPROVEMENT OF CERTAIN MAIN TRAFFICWAYS DESIGNATED AS SUCH PURSUANT TO K.S.A. 12-685, ET SEQ. AS AMENDED, IN 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": Smith, Girard and Dunlap. "Nay": None. With the entire members of the

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 20, 1985 (Cont'd)

KLINK RESURFACING PROJECT 15-U-0967-01 (ST-84-K-9)

COST ESTIMATE APPROVED

The City Manager presented to the Governing Body the following itemized estimate of cost for the resurfacing of Kansas Highway 9 from its intersection with U. S. 81 west to Davies Drive, located within the City of Concordia, Kansas, as authorized by Resolution No. 736 of the governing body adopted on September 19, 1984. This is KLINK Project No. 15-U-0967-01. The work proposed includes milling two inches (2") of asphalt off the existing roadway and overlaying the same with a new two inch (2") mat.

<u>Project ST-84-K-9</u>	<u>Total</u>	<u>State</u>	<u>City</u>
Mill Asphalt Pavement (2")	\$20,925.00	\$ 10,462.50	\$ 10,462.50
Hot Mixed Asphalt Over- lay (2") (BM-2)	69,525.00	34,762.50	34,762.50
SS-1H Asphalt Tack	1,500.00	750.00	750.00
Sub-Total	91,950.00	45,975.00	45,975.00
Contingencies (10%)	9,195.00	4,597.50	4,597.50
Sub-Total	101,145.00	50,572.50	50,572.50
Engineering	2,400.00	-0-	2,400.00
Legal Services	2,025.00	-0-	2,025.00
Administration	5,278.50	-0-	5,278.50
Interim Financing	13,301.82	-0-	13,301.82
Total Costs	124,150.32	50,572.50	73,577.82
Percentage of Costs	100%	40.7%	59.3%

The cost estimate was considered by the governing body and on a motion by Commissioner Girard, seconded by Commissione Smith and duly carried by the affirmative vote of all the members of the governing body present and voting, the total cost of the improvement was determined to be \$124,150.32 with the City responsible for fifty-nine point three percent (59.3%) of the project and the Kansas Department of Transportation responsible for forty point seven percent (40.7%) of the project.

ORDINANCE NO. 2401 (PROVIDING FOR COSTS OF KLINK PROJECT ST-84-K-9)

APPROVED

An ordinance entitled "AN ORDINANCE AUTHORIZING THE IMPROVEMENT OR REIMPROVEMENT OF CERTAIN MAIN TRFFICWAYS DESIGNATED AS SUCH PURSUANT TO K.S.A. 12-685, ET SEQ., AS AMENDED, IN 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": Smith, Girard and Dunlap. "Nay": None. With the entire members of the Commission having voted in favor thereof, the oridnance was declared passed, the title agreed to and the City Clerk assigned to it No. 2401.

ORDINANCE NO. 2402 (ACQUISITION OF LAND AND EASEMENTS-AIRPORT PROJECT
FEDERAL AVIATION ADMINISTRATION)

APPROVED

An ordinance entitled "AN ORDINANCE AUTHORIZING THE ACQUISITION OF LAND AND EASEMENTS FOR AIRPORT RUNWAY EXTENSIONS AND THE CONSTRUCTION OF CERTAIN IMPROVEMENTS THEREON TO BE PAID FOR IN PART THROUGH THE EXPENDITURE OF FEDERAL GRANT FUNDS AND IN PART FROM CURRENT FUNDS" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Smith, Girard and Dunlap. "Nay": None. With the entire members 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. 2402.

RESOLUTION No. 757 (TEMPORARY NOTES, APPLICATION TO KANSAS
BOARD OF TAX APPEALS) BLOSSER MUNICIPAL AIRPORT PROJECT

PASSED

In a prepared memorandum, the City Manager explained to the Commission the necessity of issuing temporary notes in anticipation of Federal Aid under authority of K.S.A. 12-1662, to pay the interim, reimburseable costrs for the Blosser Municipal Airport project. In order to issue these temporary notes, appropriate documentation by the City and application to and approval by the Board of Tax Appeals must be authorized.

Gaar & Bell, Bond Counsel for the City, will assist in the preparation of this application, verification of documentation and determination of the maximum amount of notes. The maximum amount of financing requested is \$650,000.00.

Following a brief discussion, Commissioner Smith moved that Resolution No. 757 authorizing the temporary notes in the amount of \$650,000.00 be approved and that application be made to the Board of Tax Appeals. Commissioner Dunlap seconded the motion. With all the

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 20, 1985 (Cont'd)BID AWARD- STREET DEPARTMENT 3-TON CAB & CHASSISKLING MOTOR COMPANY

The City Manager presented to the Commission one bid that was received on February 19, 1985 for a used three-ton cab and chassis for the Street Department. The only bid received is as follows:

Vehicle DescriptionKling Motor Co.

1975 Ford F-7000

\$ 9,450.00

After reviewing the bid received, Commissioner Girard moved that the bid of \$9,450.00 from Kling Motor Co. be accepted for the purchase of a three-ton cab and chassis for the Street Department. Commissioner Smith seconded the motion. With all the members of the Commission voting in favor thereof, the motion carried.

APPRAISAL OF REAL ESTATE FOR AIRPORT IMPROVEMENT PROJECTDAVID CRAIG & COMPANY

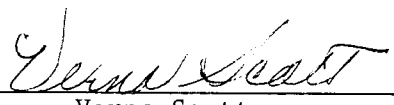
In a prepared memorandum from the city manager, he informed the governing body of the need for FAA qualified appraisers and that the appraisal be completed within 30 days of the notice to proceed. David Craig and Company will perform the appraisal for \$2,000.00.

Following a brief discussion Commissioner Smith moved to authorize the city manager to enter into an agreement with David Craig and Co., Real Estate Appraisers, to appraise properties affected by the Blosser Municipal Airport Project. Commissioner Girard seconded the motion. With all the members of the Commission voting in favor thereof, the motion carried.

STUDY SESSIONDATE SET

The Commission set the date of February 27, 1985 at 4:45 p.m. as the next Study Session.

There being no further business, Commission Smith moved that the Commission adjourn.


Verna Scott
City Clerk

(Seal)

VS:lf

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 6, 1985

The City Commission met in regular session at 4:00 o'clock p.m. on March 6, 1985, in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Dunlap present. Absent: None.

Other officers present: Acting City Manager Retter, and Acting Secretary Brummer.

Visitors present: Dallas Nading from The Kansan, Brad Lowell from The Blade-Empire, D.L. Layton, Larry Blochlinger, Lebert Charbonneau, Lorene Charbonneau, D.W. Gustafson, Donald Kling, James C. Perry, and Gail Engle.

Minutes of the February 20, 1985 meeting were approved as written.

APPROPRIATION ORDINANCES NO. 4 AND 4A

APPROVED

Appropriation Ordinances No. 4 and 4A were approved according to law.

PROCLAMATION

EMPLOY THE OLDER WORKER WEEK

The Acting City Manager presented to the City Commission a letter from the Kansas Green Thumb association requesting that the week of March 10 through March 16 be proclaimed as "Employ the Older Worker Week". The Mayor signed the proclamation.

ORDINANCE NO. 2403 (DEREGULATING CABLECOM BASE RATES)

APPROVED

An ordinance entitled "AN ORDINANCE RELATING TO MAXIMUM RATES TO BE CHARGED TO CUSTOMERS BY THE PERMITTEE, CABLECOM OF CONCORDIA, FOR ITS SERVICES UNDER ORDINANCE NO. 2080 OF THE CITY OF CONCORDIA, KANSAS: REPEALING EXISTING SECTION 28 OF SAID ORDINANCE NO. 2080, AND AMENDING SAID ORDINANCE BY ADDING A SECTION, TO BE NUMBERED 28" was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Smith, Girard, and Dunlap. "Nay": None. With all the members of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Attorney assigned to it No. 2403.

After passage of the Ordinance, local Cablecom manager Gail Engle, presented a check to the Commissioners for the franchise fee for the period of July 1, 1984 to December 31, 1984 in the amount of \$6,774.00.

ORDINANCE NO. 2404 (CHANGING CITY COMMISSION MEETING TIME FROM 4:00 P.M. TO 4:45 P.M.)

APPROVED

An ordinance entitled "AN ORDINANCE SPECIFYING THE TIMES AND PLACE OF MEETING OF THE CITY COMMISSION OF THE CITY OF CONCORDIA, KANSAS, REPEALING SECTION 1 OF ORDINANCE NO. 1689 OF SAID CITY, AS CODIFIED IN THE CONCORDIA CODE, SECTION 2-72, 2-73, 2-75 and 2-76; AND AMENDING THE CONCORDIA CODE BY ADDING A SECTION TO BE NUMBERED 2-72" was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Girard, Dunlap, and Smith. "Nay": None. With all the members of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Attorney assigned to it No. 2404.

PUBLIC HEARING ON ASSESSMENTS AND ASSESSMENT ORDINANCES PROJECTS ST-84-1, ST-84-2, SS-84-1, WL-84-1

DEFERRED

Acting City Manager, David Retter, explained to the Commission that it had been requested by Don Kling, owner of property in three of the benefit districts for the projects listed above, that he would like further information regarding his special assessments amounts, and therefore he was recommending that the public hearings on these three projects, ST-84-1, SS-84-1 and WL-84-1, be deferred until the next regularly scheduled meeting, March 20, 1985. Commissioner Girard asked if we couldn't just adjourn all four projects' public hearings and assessment ordinances until the March 20, 1985 meeting. This proposal was considered by the Commission and upon a motion made by Commissioner Smith, seconded by Commissioner Dunlap and duly carried by the affirmative vote of all the members of the Commission to defer the public hearings and assessment ordinances on Projects ST-84-1, ST-84-2, SS-84-1, and WL-84-1 until the next regular commission meeting scheduled for March 20, 1985.

TEMPORARY NOTE BID AWARD - PROJECT ST-84-REPUBLICAN STREET

FIRST BANK & TRUST

Acting City Manager Retter presented to the Commission bids received on March 1, 1985 for the purchase of temporary notes, Series 1985-A, totaling \$275,000.00 to finance the local share of the Republican Street FAU project, in the City of Concordia.

The City received the following bids:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 6, 1985 (cont'd)

<u>BANK</u>	<u>ANNUAL INTEREST COST</u>	<u>INTEREST RATES (%)</u>
Cloud County Bank & Trust	\$ 28,875.00	8.25; 8.50; 8.75; 9.0
First Bank & Trust	\$ 18,562.50	6.75

The Acting City Manager advised that it was his recommendation to accept the bid of First Bank & Trust with an annual interest cost of \$18,562.50, at a savings to the City of \$5,312.50. After a brief discussion, motion was made by Commissioner Smith, seconded by Commissioner Dunlap and duly carried by the affirmative vote of all the members of the Commission that the bid for the Series 1985-A Temporary Notes issue be awarded to First Bank & Trust of Concordia, with an annual interest cost of \$18,562.50

TEMPORARY NOTE BID AWARD - KLINK PROJECTFIRST BANK AND TRUST

Acting City Manager Retter presented to the Commission bids received on March 1, 1985 for the purchase of temporary notes, Series 1985-B, totalling \$124,150.32 to finance the entire local share and reimburseable portion of the KLINK resurfacing Project, Davies Drive and portions of 5th Street and Broadway Street, in the City of Concordia.

The City received the following bids:

<u>BANK</u>	<u>ANNUAL INTEREST COST</u>	<u>INTEREST RATES (%)</u>
Cloud County Bank & Trust	\$ 10,763.15	8.5; 8.75
First Bank & Trust	\$ 8,380.15	6.75

The Acting City Manager advised that it was his recommendation to accept the bid of First Bank & Trust with an annual interest cost of \$8,380.15, at a savings of \$2,383.00 to the City. After a brief discussion, motion was made by Commissioner Girard, seconded by Commissioner Smith and duly carried by the affirmative vote of all the members of the Commission that the bid for the Series 1985-B Temporary Notes issue be awarded to First Bank & Trust of Concordia, with an annual interest cost of \$8,380.15.

LICENSE APPLICATIONS - CLASS A AND CLASS BTAMMY L. PICKEL/MY PLACE OR YOURS?

The Acting City Manager presented to the City Commission two beer license applications, a) Class A Beer License for package beer and b) Class B beer license for consumption on the premises. Both applications are from Tammy L. Pickel d/b/a My Place or Yours? located at 115 E. 6th Street where Milt's Recreation used to be. The license application has been examined by the City Attorney and has met all legal requirements. Following a brief discussion, motion was made by Commissioner Smith, seconded by Commissioner Girard and duly carried by the affirmative vote of all the members of the Commission to approve the license applications for Tammy L. Pickel d/b/a My Place or Yours?.

PUBLIC HEARING - ALLEGED NUISANCEDISMISSED

Acting City Manager Retter stated that at this time, a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Concordia to consider whether a nuisance exists at the following location:

- 1) 201 E. 7th Car that has not been moved in over thirty days. CD-E-1104

Mr. Retter stated that a notice had been served on the owner of the property where the alleged nuisance exists. The owner has been given ten (10) days to remove or abate such nuisance, or to appear before the City Commission at today's hearing to make a showing to the satisfaction of the Governing Body that no nuisance does exist.

Mr Retter advised the Commission that City Staff had checked on the nuisance on the morning of March 6, 1985, and that the conditions that prompted the original nuisance abatement had been alleviated to the satisfaction of City Staff.

PARTICIPATION IN 1985 SINGLE-FAMILY MORTGAGE REVENUE BOND PROGRAMAPPROVED

Acting City Manager Retter explained to the Commission that he had received correspondence from United Securities, Inc., requesting that the City of Concordia once again participate in the single-family mortgage revenue bond program. Participation would be in conjunction with other counties and municipalities in the State. The City has participated in the program for the past several years. In 1985, Cloud County and the cities of Clyde, Glasco and Miltonvale will be participants in the program. The City will not be the municipality issuing the bonds. The issuers will be

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 6, 1985 (cont'd)

by the affirmative vote of all the members of the Commission that authorization be given to the Mayor and City Clerk to sign a statement of intent to participate in the 1985 single-family mortgage revenue bond program.

STUDY SESSIONDATE SET

The Commission set the date of Friday, March 15, 1985 at 4:45 p.m. as the next study session date.

AUDIENCE WITH VISITORS

Mr. D. L. Layton asked the Commissioners how they were getting along with the selection of a City Manager. Mayor Smith stated that they had 36 applicants, and then Mr. Retter went on to explain that these applications were being circulated among the Advisory Committee in batches of 6 to 7 and the committee members were asked to rate their preferences. The Advisory Committee is scheduled to meet in City Hall March 7th at 3:00 p.m. The timetable that has been discussed is that they will make a report to the City Commission by March 15th if possible.

There being no further business, motion was made by Commissioner Smith, seconded by Commissioner Girard and duly carried to adjourn the meeting.



Susan Brummer, Acting Secretary

(Seal)

SB

MINUTES OF THE SPECIAL CALL MEETING HELD MARCH 15, 1985

The City Commission met in special session at 4:45 o'clock p.m. on March 15, 1985 in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Dunlap present. Absent: None.

Visitors present: Dallas Nading from The Kansan.

Commissioner Smith requested that the Call for the Sepcial Commission meeting be entered, at length, in the minutes.

"CALL FOR SPECIAL CITY COMMISSION MEETING
CITY OF CONCORDIA, KANSAS

TO THE BOARD OF CITY COMMISSIONERS:

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

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

Date: March 15, 1985

Time: 4:45 p.m.

The object of said meeting will be as follows:

1. Consideration and passage of Intent Resolution to issue Industrial Revenue Bonds in an amount not to exceed \$1,500,000.00 for construction of grain storage facilities and incidental construction.

Dated this 14th day of March, 1985.

/s/ William B. Smith

/s/ Karen Dunlap

/s/ Ernest A. Girard

NOTICE OF SPECIAL CITY COMMISSION MEETING
CITY OF CONCORDIA, KANSAS

TO: Karen Dunlap, William B. Smith and Ernest A. Girard:

You are hereby notified that there will be a special meeting of the Board of Commissioners at 4:45 o'clock p.m. on the 15th day of March, 1985, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

1. Consideration and passage of Intent Resolution to issue Industrial Revenue Bonds in an amount not to exceed \$1,500,000.00 for construction of grain storage facilities and incidental construction.

/s/ Verna Scott
City Clerk

(Seal)

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

You are hereby directed to serve the above notice at once personally upon Commissioner Dunlap, Smith and Girard, or to leave said notice at the usual place of residence of said Commissioner before 2:00 o'clock p.m. on the 15th day of March 1985, and to make a return in writing of said service, showing the manner of such service.

/s/ Verna Scott
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 11:15 o'clock a.m. on the 14th day of March, 1985 (William B. Smith); 9:40 o'clock a.m. (Karen Dunlap); and 11:45 o'clock a.m. (Ernest A. Girard) on the 15th day of March, 1985, and:

1. Served the same personally on Commissioner Karen Dunlap, Commissioner William Smith and Commissioner Ernest A. Girard.

MINUTES OF THE SPECIAL CALL MEETING HELD MARCH 15, 1985 (cont'd.)

CO-OP


ELEVATOR ASSOC.

RESOLUTION NO. 758 (RESOLUTION OF INTENT-INDUSTRIAL REVENUE BONDS)

Acting City Manager Retter explained to the City Commission the necessary steps required to authorize expenditures of Industrial Revenue Bonds. Representatives from the Co-op Elevator Association have requested the City issue Industrial Revenue Bonds not to exceed \$1,500,000 to finance the construction of a grain storage elevator. Mr. Retter explained that a representative from the City's bond counsel, Gaar & Bell, could be at next Wednesday's meeting. He explained the Intent Resolution establishes a lid on the issuance, that we can't issue more than the \$1,500,000 but we can issue less.

Following a lengthy discussion on the matter, Acting City Manager Retter presented to the City Commission a resolution of Inducement stating the City's intention to issue Industrial Revenue Bonds of the City in an amount not to exceed \$1,500,000 to finance the construction of a grain storage facility to be located on property owned by the Co-op Elevator Association. After discussion of the resolution, Commissioner Smith moved that Resolution No. 758 be approved. Commissioner Girard seconded the motion. The motion carried unanimously.

There being no further business, Commissioner Girard moved that the meeting adjourn. Commissioner Smith seconded the motion. Motion carried unanimously.



 Verna Scott, City Clerk

(Seal)

VS:lf

MINUTES OF SPECIAL CALL MEETING HELD ON MARCH 20, 1985

The City Commission met in special session at 1:30 o'clock p.m. on the 20th day of March, 1985, in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Dunlap present. Absent: None.

Other officers present: Acting City Manager Retter, City Clerk Scott and Administrative Assistant Peterson.

Visitors present: Dallas Nading from The Kansan and Larry Blochlinger.

Commissioner Smith 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 CITY COMMISSIONERS:

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

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

Date: March 20, 1985

Time: 1:30p.m.

The object of said meeting will be as follows:

1. Discussion of City Manager Selection Process.

Dated this 19th day of March, 1985.

/s/ William B. Smith

/s/ Ernest A. Girard

/s/ Karen Dunlap

NOTICE OF SPECIAL CITY COMMISSION MEETING
CITY OF CONCORDIA, KANSAS

TO: Ernest Girard, William Smith, and Karen Dunlap

You are hereby notified that there will be a special meeting of the Board of Commissioners at 1:30 o'clock p.m. on the 20th day of March, 1985, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

1. Discussion of City Manager Selection Process.

/s/ Verna Scott
City Clerk

(Seal)

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

You are hereby directed to serve the above notice at once personally upon Commissioner Girard, Smith, and Dunlap, or to leave said notice at the usual place of residence of said Commissioner before 12:00 o'clock noon on the 20th day of March, 1985, and to make a return in writing of said service, showing the manner of such service.

/s/ Verna Scott
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 10:30 o'clock a.m. on the 19th day of March, 1985, (Ernest A. Girard); 11:30 o'clock a.m. on the 19th day of March, 1985, (William B. Smith); 4:45 o'clock p.m. on the 19th day of March, 1985, (Karen Dunlap); and:

1. Served the same personally on Commissioners Ernest A. Girard, William B. Smith,

MINUTES OF SPECIAL CALL MEETING HELD ON MARCH 20, 1985(Cont)DISCUSSION OF CITY MANAGER SELECTION PROCESS

Acting City Manager David Retter advised the Commission that the three candidates the Commission had chosen for interview had been contacted and that appointments had been scheduled for Friday, March 22; Monday, March 25; and Tuesday, March 26. He also advised the Commission for the need to adjourn each of the meetings so that each time the Commission meets, it is an officially called meeting.


Larry Blochlinger, Manager of the Chamber of Commerce, was present to offer his help during the interview process. Each of the candidates wives are planning to accompany them and Larry offered to make arrangements to show them around Concordia.

Acting Manager Retter explained that Commissioner Dunlap had contacted him about specific questions. Mr. Retter assured the Commission he would prepare a list of questions relating to the prepared profile and questions pertaining to their individual resumes. Commissioner Dunlap expressed concern that each of the candidates be asked the same set of questions so their opinions could be based on specific questions and answers.

Commissioner Smith asked Mr. Retter to take care of the questions and then if the Commissioners felt they needed more information, they would ask for it.

Commissioner Dunlap felt it important that specific criteria set out in the profile and the advertisement that appeared in the Kansas Government Journal be met.

Following a lengthy discussion, Commissioner Smith moved that the meeting adjourn. Commissioner Girard seconded the motion. Motion carried unanimously.


Verna Scott, City Clerk

(Seal)

VS:rl

 MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 20, 1985

The City Commission met in regular session at 4:45 o'clock p.m. in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Dunlap present. Absent: None.

Other officers present: Acting City Manager Retter, City Clerk Scott, Administrative Assistant Peterson and City Engineer Paul Johnson.

Visitors present: Brad Lowell from The Blade-Empire, Dallas Nading from The Kansan, Perry Bemis, Bud Hefner, Norman Johnson, Larry Blochlinger, Robert B. Wilson, Mary Ann Widen, Max W. Widen, Dennis Rohr, D.L. Layton, Don Bell with Gaar & Bell, Darrell Nelson from Co-op Elevator, Bill Jackson and Don Lackamp.

Minutes of the March 6 and March 15, 1985, meetings were approved as written.

APPROPRIATION ORDINANCE NO. 5

APPROVED

Appropriation Ordinance No. 5 was approved according to law.

REPORT ON STATUS OF CITY MANAGER SELECTION

DAVID E. RETTER

Acting City Manager Retter advised those present that we have scheduled appointments with three persons to begin Friday, March 22nd and continue through Tuesday, March 26th. Each interview should take approximately 2 hours. The Commission has expressed an attempt will be made to have the selection made by April 3rd with an approximate starting date of mid-May.

CLAIMS PRESENTED (DENNIS ROHR, HOWARD BUDREAU & TERRY FLINN)

DENIED

Acting City Manager David Retter submitted a claim that had been presented to him from Robert S. Jones, attorney for Police Chief Dennis Rohr, Officers Howard Budreau and Terry Flinn. The claim addressed three items:

1. Payment by the City of Concordia for legal fees for the three claimants in the amount of \$900.00.
2. Removal of any reference of the matters that had given rise to this situation from any and all employment records, and
3. A signed apology from the City of Concordia to each officer in connection with the occurrence, to be personally signed by the remaining two city commissioners who were in office at the time.

In addition to the three items listed above, the City of Concordia would pay to Officer Flinn the sum of \$600.00.

Following a brief discussion, Commissioner Smith moved to deny the claim. Motion seconded by Commissioner Dunlap and carried unanimously.

ASSESSMENT HEARING (ST-84-1)

HELD

The Mayor announced that this was a continuation of a hearing on proposed assessments, as set out in the assessment roll prepared by the City Clerk, and on file in the office of the City Clerk, for the following improvement:

The grading, curbing, guttering, paving and storm drainage of Russ Street between Ninth Street north to the boundary of Budreau's Subdivision in the City of Concordia, Cloud County, Kansas

as authorized by Resolution No. 715 of this Governing Body adopted March 21, 1984, 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 was present at the meeting to voice objections to the assessments.

Following a brief discussion, and after considering the proposed assessments, and hearing

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 20, 1985(Cont)

ASSESSMENT ORDINANCE NO. 2405 (ST-84-1)

APPROVED

An ordinance entitled "AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENT THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF THE FOLLOWING IMPROVEMENT IN THE CITY OF CONCORDIA, KANSAS, HEREINAFTER REFERRED TO AS THE "IMPROVEMENT" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Smith, Girard and Dunlap. "Nay": None. With all the members 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. 2405.

ASSESSMENT HEARING (ST-84-2)

HELD

The Mayor announced that this was a continuation of a hearing on proposed assessments, as set out in the assessment roll prepared by the City Clerk, and on file in the office of the City Clerk, for the following improvement:

The grading, curbing, guttering, paving and storm sewer drainage of Julie Street between Ninth Street, north to the boundary of Budreau's Subdivision in the City of Concordia, Cloud County, Kansas

as authorized by Resolution No. 716 of this Governing Body adopted March 21, 1984, and to hear written or oral objections thereto. The governing body determined that notice of the hearing had been published and that notice of the hearing and a statement of the costs proposed to be assessed had been mailed to the owners of the property made liable to pay such assessments, all as provided by Section 9(b) of Chapter 99, of the Kansas legislative session laws of 1957, otherwise cited as K.S.A. 12-6a09(b).

No one was present at the meeting to voice objections to the assessments.

Following a brief discussion, and 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, motion was made by Commissioner Smith, seconded by Commissioner Girard, and duly carried by the affirmative vote of all the members of the Commission to approve the proposed assessments and the City Attorney was directed to prepare an ordinance levying as special assessments the amounts set out against the lands described in the assessment roll as provided by K.S.A. 12-6a10, as amended.

ASSESSMENT ORDINANCE NO. 2406 (ST-84-2)

APPROVED

An ordinance entitled "AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENT THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF THE FOLLOWING IMPROVEMENT IN THE CITY OF CONCORDIA, KANSAS, HEREINAFTER REFERRED TO AS THE "IMPROVEMENT" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Smith, Girard and Dunlap. "Nay": None. With all the members 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. 2406.

ASSESSMENT HEARING (SS-84-1)

HELD

The Mayor announced that this was a continuation of a hearing on proposed assessments, as set out in the assessment roll prepared by the City Clerk, and on file in the office of the City Clerk, for the following improvement:

Approximately 200 foot extension of sanitary sewer, eight inch line, north on Russ Street from center of Ninth Street of Budreau's Subdivision in the City of Concordia, Cloud County, Kansas

as authorized by Resolution No. 714 of this Governing Body adopted March 21, 1984, and to hear written or oral objections thereto. The governing body determined that notice of the hearing had been published and that notice of the hearing and a statement of the costs proposed to be assessed had been mailed to the owners of the property made liable to pay such assessments, all as provided by Section 9(b) of Chapter 99, of the Kansas legislative session laws of 1957, otherwise cited as K.S.A. 12-6a09(b).

Mr. Don Kling had previously contacted the City Clerk's office to request that his property not be included in the benefit district stating that his property was already included in another sewer benefit district. Acting City Manager Retter had contacted City Engineer Paul Johnson and had determined that this was, in fact, the correct situation and that the City Clerk had then prepared a new assessment roll excluding Mr. Kling's property from the benefit district

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 20, 1985(Cont)

and further stated that Mr. Eldon Budreau had been contacted about the increased assessments he would be made liable for with the exclusion of the Kling property. Mr. Budreau was not present at the meeting to voice any objections to any of the assessments levied due to this sanitary sewer construction.

Following a brief discussion, and 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, motion was made by Commissioner Girard, seconded by Commissioner Smith, and duly carried by the affirmative vote of all the members of the Commission to approve the proposed assessments and the City Attorney was directed to prepare an ordinance levying as special assessments the amounts set out against the lands described in the assessment roll as provided by K.S.A. 12-6a10, as amended.

ASSESSMENT ORDINANCE NO. 2407 (SS-84-1)

APPROVED

An ordinance entitled "AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENT THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF THE FOLLOWING IMPROVEMENT IN THE CITY OF CONCORDIA, KANSAS, HEREINAFTER REFERRED TO AS THE "IMPROVEMENT" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Smith, Girard and Dunlap. "Nay": None. With all the members 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. 2407.

ASSESSMENT HEARING (WL-84-1)

HELD

The Mayor announced that this was a continuation of a hearing on proposed assessments, as set out in the assessment roll prepared by the City Clerk, and on file in the office of the City Clerk, for the following improvement:

Approximately 1100 lineal feet of four-inch water line, with connectors and two fire hydrants, situated in Russ Street and Julie Street, and along the north boundary of Budreau's Subdivision, in the City of Concordia, Cloud County, Kansas

as authorized by Resolution No. 717 of this Governing Body adopted March 21, 1984, and to hear written or oral objections thereto. The governing body determined that notice of the hearing had been published and that notice of the hearing and a statement of the costs proposed to be assessed had been mailed to the owners of the property made liable to pay such assessments, all as provided by Section 9(b) of Chapter 99, of the Kansas legislative session laws of 1957, otherwise cited as K.S.A. 12-6a09(b).

No one was present at the meeting to voice objections to the assessments.

Following a brief discussion, and 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, motion was made by Commissioner Smith, seconded by Commissioner Dunlap and duly carried by the affirmative vote of all the members of the Commission to approve the proposed assessments and the City Attorney was directed to prepare an ordinance levying as special assessments the amounts set out against the lands described in the assessment roll as provided by K.S.A. 12-6a10, as amended.

ASSESSMENT ORDINANCE NO. 2408 (WL-84-1)

APPROVED

An ordinance entitled "AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENT THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF THE FOLLOWING IMPROVEMENT IN THE CITY OF CONCORDIA, KANSAS, HEREINAFTER REFERRED TO AS THE "IMPROVEMENT" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Smith, Girard and Dunlap. "Nay": None. With all the members 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. 2408.

RESOLUTION NO. 759- NUISANCE ABATEMENT

ROBERT B. WILSON

The Acting City Manager stated that at this time, a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Concordia, to consider whether a nuisance exists at the following location:

331 West 8th

Administrative Assistant Michael Peterson advised the Commission that he had checked the property just prior to the meeting and had found that even though the property is vacant,

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 20, 1985(Cont)

Mr. Retter reminded the Commission that the painting job was outside the scope of the nuisance abatement, but that they should address their concerns toward the debris on the ground and the unsafe foundation of the structure. Mr. Retter then asked Mr. Robert Wilson if he had anything to say at this point.

Mr. Robert Wilson stated that he had some boys hired to finish the painting, that it was his intent to improve the property and make it attractive.

Following these comments, Mr. Retter presented to the Commission a resolution determining the existence of the nuisance and requiring removal or abatement. The Commission examined and considered the resolution, after which it was moved by Commissioner Smith, seconded by Commissioner Girard and duly carried by the affirmative vote of all the members of the Commission that Resolution No. 759 be adopted and allowed an additional 30 days for Mr. Wilson to abate the nuisance at 331 W. 8th Street.

REPUBLICAN STREET PROJECT FAU (ST-84-REPUBLICAN)

CAMPBELL & JOHNSON

David Retter advised the Commission that the Selection and Negotiating Committee had met and had recommended the firm of Campbell & Johnson, Engineers as the resident inspectors for the Republican Street project that is scheduled to begin this summer. Following this recommendation, Campbell & Johnson must submit a detailed proposal to the Kansas Department of Transportation for their approval. There is an anticipated date of April 18, 1985 for bid letting on the Republican Street project. Following a brief discussion, Commissioner Smith moved that we submit the proposal of Campbell & Johnson to Kansas Department of Transportation for their approval. Commissioner Girard seconded the motion. Motion carried unanimously.

INDUSTRIAL REVENUE BOND REQUEST

CLOUD CO. CO-OP ELEVATOR ASSOCIATION

Darrell Nelson, Manager of the Cloud County Co-op Elevator Association was present along with several of their board members to investigate the procedures for securing industrial revenue bonds from the City of Concordia. Mr. Don Bell from Gaar & Bell, of Wichita, Kansas, was present to describe industrial bond issues. Mr. Bell stated that Industrial Revenue Bonds are paid from revenues derived from the project. Co-op would have to show their ability to pay. There can be private placement of the bonds or insurance companies can purchase them. If you have a public offering, you need an official statement. In the case of a million dollar deal, the Co-op could count on a cost of about 2%. Most often a trustee of a local banking institution is hired to take care of the on-going costs that need to be paid. Their fees usually run about \$500 a year. If you go to a public sale, the costs can go with a public sale. Interest on bonds is usually tax exempt, however Co-op users or members would not be tax exempt. Another savings available by using IRB's is that the materials used in the construction of the building is sales tax exempt.

Don Lackamp was interested in the maximum number of purchasers. Mr. Bell stated there was no maximum number but that you needed to be careful of individuals. In the case of this type of purchase, the City would need a broker-dealer for their own protection. He advised that you are paying a broker-dealer to sell bonds. In a situation where the business already had the bonds sold, the broker-dealer might charge a lesser fee.

Mike Peterson wanted to know if the sale of this amount of IRB's could affect the City's future credit.

Mr. Bell doubted it would affect the City's credit. There is a state limit on how many bonds the state can have but the state of Kansas is no where near saturation.

Don Lackamp wanted to know at what point in time the costs can be included in the bond issue.

Don Bell stated March 15, 1985. The date of the passage of the Resolution of Intent. He stated that if their firm was authorized to do so, they would have the issue ready in 45 days.

Darrell Nelson wanted to know whether the Co-op's stockholders can purchase the bonds.

Don Bell advised them that they could not sell to their stockholders and maintain the interest tax exempt position and guarantee that stockholders interest free of tax. There followed a discussion on several facets of an IRB issue -

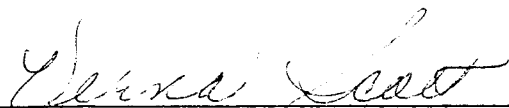
- 1) Whether to work with banks or private placement
- 2) Bond house- the City needed to know Co-op's preference
- 3) Whether or not to contact 2 or 3 bond houses - feasible to shop for a rate
- 4) How to select an underwriter

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 20, 1985 (Cont)

Darrell Nelson advised they would have to get some more information together, but they would let the City know within a week about their decision.

Norman Johnson, a Co-op board member, was interested in getting sales tax exemption. Mr. Retter said it would be no problem to send in a request for sales tax exemption and directed the City Clerk to submit that document.

There being no further business, Commissioner Smith moved that the meeting adjourn until 1:00 o'clock p.m. on Friday, March 22, 1985. Commissioner Dunlap seconded the motion. Motion carried.



Verna Scott, City Clerk

(Seal)

VS:rl

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD MARCH 22, 1985

The City Commission met in adjourned session at 1:00 o'clock p.m. on March 22, 1985, in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Dunlap present.

Absent: None

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

Advisory Committee for the Selection of a City Manager members present: Arnold Krob, Betty Humes, Charles Jewell and Don Schmidt.

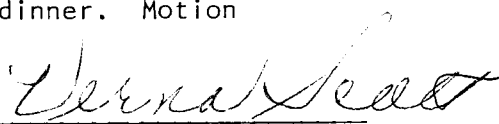
Absent: Marvin Brummett.

CITY MANAGER CANDIDATE INTERVIEW

RANDY WETMORE

City Manager Candidate Randy Wetmore answered questions submitted to him by Acting City Manager David E. Retter. Following prepared questions, members of the City Commission and Selection Committee then asked questions regarding his past experience in management, his financial background, personal traits, etc.

Following this lengthy interview process, Commissioner Smith moved that the Commission adjourn until 5:30 o'clock p.m. at the Boston Corbett Club for dinner. Motion was seconded by Commissioner Dunlap and carried unanimously.


Verna Scott, City Clerk

(Seal)

VS:rl

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD MARCH 22, 1985

The City Commission met in adjourned session at 5:30 o'clock p.m. on March 22, 1985 at the Boston Corbett Club in the City of Concordia. Mayor Smith presided with Commissioner Dunlap present.

Absent: Commissioner Girard.

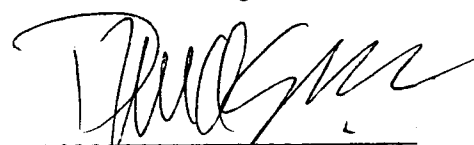
Other officers present: Acting City Manager Retter.

Visitors present: City Manager Candidate Randy Wetmore and Andrea Wetmore.

DISCUSSION OF CITY MANAGER APPOINTMENT

City Manager Candidate Wetmore had interviewed for the position of City Manager earlier in the day and it had been decided that a dinner meeting with the Commission was in order.

Following the dinner meeting, Commissioner Dunlap moved that the meeting adjourn until 1:00 o'clock p.m. on March 25, 1985 in order to interview the next City Manager Candidate. Motion was seconded by Commissioner Smith. Motion carried by two-thirds of all the members of the Commission.


David E. Retter
Acting Secretary

(Seal)

DER:vj

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD MARCH 25, 1985

The City Commission met in adjourned session at 1:00 o'clock p.m. on March 25, 1985, in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Dunlap present.

Absent: None

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

Advisory Committee for the Selection of a City Manager members present: Arnold Krob, Betty Humes, and Charles Jewell.

Absent: Marvin Brummett and Don Schmidt.

Visitors present: Dallas Nading from The Kansan.

CITY MANAGER CANDIDATE INTERVIEWGLEN WELDEN

City Manager Candidate, Glen Welden, answered questions submitted to him by Acting City Manager David E. Retter. Following prepared questions, members of the City Commission and Selection Committee then asked questions regarding his past experience in management, his financial background, personal traits, etc.

Following this lengthy interview process, Commissioner Smith moved that the Commission adjourn until 2:00 o'clock p.m. in the City Commission Room. Motion was seconded by Commissioner Dunlap and carried unanimously.


Verna Scott, City Clerk

(Seal)

VS:scb

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD MARCH 26, 1985

The City Commission met in adjourned session at 2:00 o'clock p.m. on March 26, 1985, in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Dunlap present.

Absent: None

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

Advisory Committee for the Selection of a City Manager members present: Arnold Krob, and Charles Jewell.

Absent: Marvin Brummett, Betty Humes and Don Schmidt.

Visitors present: Dallas Nading from The Kansan.

CITY MANAGER CANDIDATE INTERVIEWA.J. JOHNSON

City Manager Candidate, A. J. Johnson, answered questions submitted to him by Acting City Manager David E. Retter. Following prepared questions, members of the City Commission and Selection Committee then asked questions regarding his past experience in management, his financial background, personal traits, etc.

Following this lengthy interview process, Commissioner Smith moved that the Commission adjourn until 7:00 o'clock p.m. at the Boston Corbett Club for dinner. Motion was seconded by Commissioner Dunlap and carried unanimously.



MINUTES OF THE ADJOURNED COMMISSION MEETING HELD MARCH 26, 1985

The City Commission met in adjourned session at 7:00 o'clock p.m. on March 26, 1985 at the Boston Corbett Club in the City of Concordia. Mayor Smith presided with Commissioners Girard and Dunlap present.

Absent: None

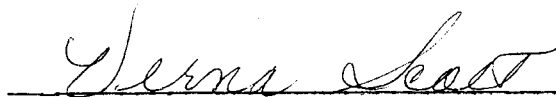
Other officers present: Acting City Manager Retter and City Clerk Scott.

Visitors present: City Manager Candidate A. J. Johnson, Chris Johnson, Susan Retter and Wayne Scott.

DISCUSSION OF CITY MANAGER APPOINTMENT

City Manager Candidate Johnson had interviewed for the position of City Manager earlier in the day, and it had been decided that a dinner meeting with the Commission was in order.

Following the dinner meeting, Commissioner Dunlap moved that the meeting adjourn until 9:30 o'clock a.m. on March 27, 1985 in order to review all the City Manager candidates. Motion was seconded by Commissioner Girard. Motion carried unanimously.



Verna Scott, City Clerk

(Seal)

VS:sb

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD MARCH 27, 1985

The City Commission met in adjourned session at 9:30 o'clock a.m. in the Conference Room in the City Hall on March 27, 1985. Mayor Smith presided with Commissioners Girard and Dunlap present.

Absent: None

Other officers present: Acting City Manager Retter.

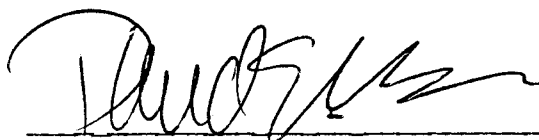
Visitors present: City Manager Candidate A. J. Johnson.

DISCUSSION OF CITY MANAGER APPOINTMENT

A. J. JOHNSON

City Manager Candidate Johnson had interviewed for the City Manager position on March 26, 1985 and the City Commission had invited him back for the second interview to discuss the position and the benefits offered by the City. Mr. Johnson had asked to take a copy of the City's 1985 budget and other project documents back with him for further study. The Commission advised him they would be getting in touch with him later in the week regarding his bid for the position here in Concordia.

There being no further business, Commissioner Dunlap moved that the meeting adjourn until 3:30 p.m. on March 28, 1985 in order to review the application of Randy Wetmore. Motion was seconded by Commissioner Smith. Motion carried unanimously.



David E. Retter, Acting Secretary

(Seal)

DER:scb

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD MARCH 28, 1985

The City Commission met in adjourned session at 3:30 o'clock p.m. on March 28, 1985 in the Conference Room in the City Hall. Mayor Smith presided with Commissioners Girard and Dunlap present.

Absent: None

Other officers present: Acting City Manager Retter.

Visitors present: City Manager Candidate Randy Wetmore.

DISCUSSION OF CITY MANAGER APPOINTMENTRANDY WETMORE

City Manager Candidate Wetmore had interviewed for the City Manager position on March 22, 1985 and the City Commission had invited him back for the second interview to discuss the entire scope of the position and the benefits offered by the City. Mr. Wetmore had asked to see a copy of the 1985 City Budget and other project documents. The Commission advised him they would be making a decision on the appointment by Monday, April 1, 1985.

There being no further business, Commissioner Smith moved that the meeting adjourn until 4:45 p.m. on April 1, 1985 at which time a decision is to be announced on the selection of the new City Manager. Commissioner Dunlap seconded the motion. Motion carried unanimously.



David E. Retter, Acting Secretary

(Seal)

DER:scb

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD APRIL 1, 1985

The City Commission met in adjourned session at 4:45 o'clock p.m. in the Conference Room in the City Hall on April 1, 1985. Mayor Smith presided with Commissioners Girard and Dunlap present.

Absent: None.

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

Visitors present: Dallas Nading from The Kansan, D. L. Layton and Larry Blochlinger.

SELECTION OF NEW CITY MANAGER

RANDY WETMORE

Acting City Manager Retter had prepared a comparison of salary needs and fringe benefit packages between city manager candidates A. J. Johnson and Randy Wetmore. Following this presentation, Commissioner Dunlap felt that Mr. Wetmore had a definite advantage in that he knew Kansas state laws. Commissioner Smith concurred and stated he felt Mr. Wetmore had the advantage of being familiar with total budget preparation. All Commissioners felt more comfortable with the salary requirements and fringe benefit package that Mr. Wetmore was willing to accept.

Acting City Manager Retter advised the Commission that he had visited with all the department heads regarding both candidates and that all of the department heads were very comfortable with the hiring of Mr. Wetmore.

Following a lengthy discussion, Commissioner Smith moved that Randy Wetmore be hired as the new city manager for the City of Concordia. Commissioner Dunlap seconded the motion. Motion carried unanimously.

Acting City Manager asked the Commission for authorization to prepare an Employment Contract. Commissioner Smith asked Mr. Retter to contact Mr. Wetmore as soon as possible by telephone. Following a brief discussion on salary, Commissioner Smith asked Mr. Retter to offer Mr. Wetmore \$32,500.00. There was no motion made on salary, but Commissioners Girard and Dunlap agreed on the offer. Mr. Retter then placed a telephone call to Mr. Wetmore and offered him the position at the salary of \$32,500.00. Mr. Wetmore asked that salary be established at \$33,000.00. The Commission, after a brief discussion, concurred and then asked what date Mr. Wetmore would be available for work. Mr. Wetmore's current position requires 30 days notice, and he advised the Commission he would be in Concordia on May 1, 1985.


TOURIST INFORMATION CENTER

DISCUSSION

Acting City Manager Retter asked for direction and guidance on the tourist information center. He stated that the State had set May 1st as the deadline for the tourist center to be operational if we are to receive \$1,800.00 grant funds distributed by them. Larry Blochlinger, manager of the Chamber of Commerce, said we would not lose the entire grant amount, but that we would lose \$900.00. There was discussion on using the Cloud County Bank building located at the Alco Plaza shopping center. The Commission still feels they would like a caboose.

Following a lengthy discussion on the matter of the tourist information center, Acting City Manager Retter advised the Commission he would schedule it for discussion at their next study session.

There being no further business, motion was made by Commissioner Girard, seconded by Commissioner Smith and duly carried to adjourn the meeting.


Verna Scott, City Clerk

(Seal)

VS:sb

 MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 3, 1985

The City Commission met in regular session at 4:45 o'clock p.m. in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Dunlap present.

Absent: None.

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

Visitors present: Randy Wetmore, Concordia's new city manager as of May 1, 1985, Brad Lowell from The Blade-Empire, Dallas Nading from The Kansan, Arnold Krob, Charles Jewell, Don Schmidt, D. L. and Rita Layton, Denise deRocheffort-Reynolds, William Sanders, Larry Blochlinger, Boyd Dochow, Dennis Rohr and Jerry Ruud.

Minutes of March 20, 1985, March 22, 1985, March 26, 1985, March 27, 1985, March 28, 1985 and April 1, 1985 were approved as written.

APPOINTMENT OF NEW CITY MANAGER

RANDY WETMORE

Acting City Manager Retter announced that the City Commission had met on April 1, 1985, and had completed the interview and selection process for a new city manager for Concordia. He stated that the Commission and the City Manager Selection Advisory Committee had interviewed three candidates and following the interview process, the Commission had hired Randy A. Wetmore to be Concordia's new City Manager with his duties to begin May 1, 1985. The Commission then authorized the Acting City Manager/City Attorney to prepare a one year's Employment Agreement.

RESOLUTION NO. 760 (APPRECIATION)

CITY MANAGER ADVISORY COMMITTEE

Acting City Manager Retter had prepared a Resolution of Appreciation to be placed on file in recognition of the efforts and time the City Manager Advisory Committee had spent on the selection of a new city manager. Following a brief discussion, Commissioner Dunlap moved that Resolution No. 760 be approved. Motion seconded by Commissioner Smith and duly carried unanimously.

APPROPRIATION ORDINANCE NO. 6-6A

APPROVED

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

ORDINANCE NO. 2409 - (MUNICIPAL COURT COSTS)

PASSED

An ordinance entitled "AN ORDINANCE ESTABLISHING THE AMOUNT OF COURT COSTS TO BE ASSESSED TO DEFRAY THE COSTS OF ADMINISTRATION OF JUSTICE IN THE MUNICIPAL COURT OF THE CITY OF CONCORDIA, KANSAS, AND REPEALING ORDINANCE NO. 2363 OF SAID CITY RELATING TO THE SAME SUBJECT" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Smith, Girard and Dunlap. "Nay": None. With all the members of the Commission having voted in favor thereof, the ordinance was declared passed, the titled agreed to and the City Clerk assigned to it No. 2409.

PROCLAMATION

NATIONAL LIBRARY WEEK

Denise deRocheffort-Reynolds was present asking that the City Commission proclaim the week of April 14th through April 20th as National Library Week. The Mayor signed the proclamation.

LIBRARY BOARD APPOINTMENTS

DENNIS SOUTHWICK & ANN KRONE

Acting City Manager Retter presented to the Commission a recommendation from the Frank Carlson Library Board to appoint Ann Krone and Dennis Southwick to four-year terms on the Frank Carlson Library Board to begin April 1, 1985. Mr. Retter advised the Commission that each of the individuals had been contacted and had agreed to the appointment. Following a brief discussion, Commissioner Smith moved that the appointments of Dennis Southwick and Ann Krone be approved. Commissioner Girard seconded the motion. Motion carried unanimously.

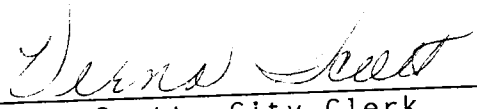
MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 3, 1985 (con't)

AMBULANCE CHARGE-OFFS FROM JANUARY THROUGH JUNE, 1984APPROVED

The Acting City Manager stated that a list of uncollectible ambulance charges has been compiled by City Staff. The amount determined to be uncollectible for the period of January through June of 1984 is \$1,171.00. This represents \$951.00 in Providers write-off charges and \$220.00 in EDS charges which the City cannot, by law, attempt to collect from the customer.

Following a brief discussion, motion was made by Commissioner Smith, seconded by Commissioner Dunlap and duly carried by the affirmative vote of all the members of the City Commission to approve the ambulance charge-offs in the amount of \$1,171.00.

There being no further business, motion was made by Commissioner Smith, seconded by Commissioner Girard and duly carried to adjourn the meeting until 4:00 o'clock p.m. on April 10, 1985.


Verna Scott, City Clerk

(Seal)

VS:vj

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD APRIL 10, 1985.

The City Commission met in adjourned session at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Smith presided with Commissioner Girard present. Absent: Commissioner Dunlap.

Other officers present: Acting City Manager Retter, City Clerk Scott and Administrative Assistant Peterson.

Visitors present: Dallas Nading from the Kansan, D.L. Layton, David Wheaton, Gene Miller and Dennis Rohr.

RESOLUTION NO. 761 (NUISANCE ABATEMENT)

HAROLD AND JOLENE SPRINGER

The Acting City Manager stated that at this time, a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Concordia, to consider whether a nuisance exists at the following location:

304 E. 15th

Administrative Assistant Michael Peterson advised the Commission that he had checked the property just prior to the meeting and had found nothing done to abate the nuisance which is an abandoned car that is not tagged or runnable.

Following these comments, Mr. Retter presented to the Commission a resolution determining the existence of the nuisance and requiring removal or abatement. The commission examined and considered the resolution, after which it was moved by Commissioner Girard, seconded by Commissioner Smith and duly carried by two-thirds of the members of the Commission that Resolution No. 761 be adopted and allowed an additional 10 days for Mr. and Mrs. Springer to abate the nuisance at 304 E. 15th.

UTILITY EASEMENT RELEASE

FYFE SAND & GRAVEL CO.

Acting City Manager Retter presented a "Release of Easement" to the Commission releasing an unused sewer easement on property belonging to Ernest R. Fyfe.

David Wheaton, the Director of Utilities, has been in touch with Mr. Fyfe and he is willing to give the City an easement for a natural gas pipeline and for a water well in exchange for this release. This trade of property interests was initiated in order for future water well drilling for the City of Concordia and to "hook-up" the sewer plant to natural gas at some point in the future.

Following a lengthy discussion, Commissioner Smith moved that we give Mr. Fyfe the release of the sewer easement in return for the well and gas line easement. The motion was seconded by Commissioner Girard. With two-thirds of the members of the Commission voting in favor thereof, the motion carried.

SEASON TICKETS FOR SWIMMING POOL

DISCUSSION

The prices for the 1985 season tickets for the Swimming Pool were discussed. The current rate is \$45.00 for a family season ticket, \$25.00 for adults 18 and over and \$20.00 for Youth to age 17. The prices have not been increased since 1983.

Following a brief discussion, Commissioner Girard moved that the season tickets for the swimming pool remain the same. Commissioner Smith seconded the motion. Motion carried.

Following the discussion on the swimming pool season tickets, there was a discussion held on a possible cost for the "Adult Swim" which is a one-hour time each day for adult swimmers only. In the past, this "adult swim" has been offered free of charge.

Also, a suggestion was made to give a leaflet to each person purchasing a "Season Ticket" advising them of the times set aside for the adult swim.

SUBORDINATION AGREEMENT

RURAL WATER DISTRICT NO. 1

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD APRIL 10, 1985 (con't.)

Acting City Manager Retter advised the Commission that the Rural Water District Board had met, the agreement was signed and presented to them today for their approval.

Following a brief discussion, motion was made by Commissioner Girard, seconded by Commissioner Smith and duly carried by two-thirds of all the members of the Commission approving the Mayor and City Clerk to sign the subordination agreement for submission to the Federal Aviation Agency.

KLINK PROJECT (EAST)

DISCUSSED

Acting City Manager Retter discussed with the Commission the need to surface the K-9 Highway from Lincoln Street east to the City Limits. He informed the Commission that Director of Streets Tom Fisher had discussed concerns about the cost of maintaining this street in its present condition and the fact that connecting link money might be withheld by the State if the City did not maintain the street according to state specifications. Following a lengthy discussion on the matter Commissioner Smith moved that the City should check into the cost of financing this project and to see if any more KLINK money is available. Commissioner Girard seconded the motion. Motion carried.

SCHOOL SIGNING DISCUSSED

Commissioners Smith and Girard discussed the signing and the difficulty of enforcing the speed limits posted out by the Middle School. Administrative Assistant Peterson advised the Commission of the different types of districts out there, i.e., Neighborhood Shopping District, Residential and Commercial Service and the different speed limits particular to those zones along with the "Slow Zone" for the school located there.

DISCUSSION ON CHANGING THE CITY COMMISSION MEETING TIME

Acting City Manager Retter stated that the candidates-elect to the Commission have requested a change back to 4:00 o'clock p.m. on first and third Wednesdays for regular meeting times and 11:00 o'clock a.m. for Study Sessions on alternating Wednesdays. The Commission requested that the Acting City Manager prepare an ordinance to that effect for the next Commission meeting.

AUTHORIZATION FOR LAWSUIT TO BE FILED

JIM BOSTON

The Acting City Manager advised the City Commission that Jim Boston was doing business as a sewer plumber and gas inspector without first obtaining a bond and license from the City of Concordia which violates Sections 14-47; 14-55; 1 of the Code of Ordinances of the City. Following a lengthy discussion on the matter Commissioner Smith moved that David Retter, as City Attorney for the City of Concordia, file a suit in District Court against Mr. Jim Boston for violation of City Codes. Commissioner Girard seconded the motion. Motion carried. 8 19

TOURIST INFORMATION CENTER

DISCUSSION

Michael Peterson, Administrative Assistant to the City, supplied the results of cost comparisons to the City Commission concerning the cost of a Tourist Information Center. The Cloud County Bank would like to sell their bank located at the Alco Plaza Shopping Center and have offered it for a "Tourist Information Center" at a cost of \$16,000.00. Mr. Peterson said this compared to new construction of between \$12,000 and \$13,000.00. The added benefit of the Cloud County Bank building would be the brick veneer, the insulation, the central air heating and cooling system - all extra costs for the newly constructed building.

The acquisition of a caboose was again discussed. Both Commissioner Smith and Commissioner Girard feel that getting the caboose is important to the project since the caboose "idea" is what started the whole project. The Caboose itself would present major problems as a tourist information center due to the fact it would be impossible to make it handicapped accessible, however, both commissioners felt the cabosse could still be an added attraction.

Director of Economic Development Gene Miller felt that another offer should be made to Don Lackamp for the purchase of the Cloud County Bank building in view of the fact that no one else was interested in that building and perhaps the City could acquire it at a much lesser price and still have the benefit of the central air, brick veneer, etc.

MINUTES OF REGULAR CITY COMMISSION MEETING HELD APRIL 17, 1985.

The City Commission met in regular session on April 17, 1985 at 4:45 o'clock p.m. in the City Commission Room in the City Hall. Mayor Smith presided with Commissioners Girard and Dunlap present. Absent: None.

Other officers present: Acting City Manager Retter, City Clerk Scott and Administrative Assistant Peterson.

Visitors present: Brad Lowell from The Blade-Empire, Dallas Nading from The Kansan, W.B. Buechel, Trish Bishop, Donna Wilson, Fred DeArmand, Gertrude Dochow, Boyd Dochow, Rita Layton, D.L. Layton, Jerry Joler, Ray Willis, David Wheaton, Hugh Hattan, Margaret Hattan, Art Slaughtering, Gene Miller, Wilbur Naylor, Larry Blochlinger, Janice Hattan, Justin Hattan, Jennifer Hattan, Greg Hattan, Dennis Rohr and Phil Schlup.

Minutes of the April 3 and April 10, 1985 meetings were approved as written.

PROCLAMATION

NATIONAL LAW DAY & NATIONAL LAW WEEK

Trish Bishop, Law Day Chairperson and Deputy Clerk of the District Court, William B. Buechel, President of the Cloud County Bar Association and Donna Wilson, representing JR-MMC (local chapter of Legal Secretaries) were present to ask the City Commission proclaim April 29 through May 3, 1985 as Law Week and May 1 as National Law Day. The Mayor signed the proclamation.

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, 1985 through March 31, 1985.

<u>Amount</u>	<u>Fund</u>	<u>Due Date</u>	<u>Interest Rate %</u>	<u>Interest Received</u>	<u>Original Term</u>
\$ 7,670.45	WT Deposits	12-31-85	8	106.15	Passbook
250,000.00	Misc.	1-02-85	8.22	169.12	Insured
Varies	Misc.	2-01-85	8.22	294.89	Investment
EOM Bal			Aug.		Checking Acct.
525,000.00	Misc.	2-01-85	8.22	2,729.87	Insured
EOM Bal			Aug.		Investment
425,000.00	Misc.	2-01-85	8.096	2,836.47	Super Saver
300,000.00	Misc;wt/sw	2-11-85	9	4,438.36	60 Days
425,000.00	Misc.	3-01-85	8.096Aug.	2,595.51	Super Saver
575,000.00	Misc.	3-01-85	8.22	3,594.52	Insured
Varies	Misc.	3-01-85	5.25	164.37	Investment
200,000.00	WT/SW	3-11-85	7.5	1,273.97	28 Days
					31 Days
TOTAL INTEREST RECEIVED - FIRST QUARTER				18,203.23	

The total of \$18,203.23 reflects a 23% decrease in interest earnings for the first quarter of this year compared to the first quarter of last year, however, we have changed our methods of investment to two different types of investment accounts. One is a Super Savers account at First Bank and Trust and the other is an insured investment Account at Cloud County Bank & Trust.

With the new investment accounts, the interest for the previous quarter is not received until the first working day of the next quarter. The interest received on these two accounts was \$6,965.98 bringing the total interest earned for the first quarter to \$25,169.21 and therefore realizing a 6% increase over 1984's first quarter investment earnings.

The average interest rate for 1985 during the first quarter was 7.844% compared to an average interest rate of 1984 of 8.46%.

Respectfully submitted,

/s/ David E. Retter
Acting City Manager

DER:VS:vj

MINUTES OF REGUALR CITY COMMISSION MEETING HELD APRIL 17, 1985, (cont'd)

INVESTMENT OF IDLE FUNDS

QUARTERLY REPORT

FIRST QUARTER

MARCH 31, 1985

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

<u>Amount</u>	<u>Fund</u>	<u>Due Date</u>	<u>Interest Rate</u>	<u>Bank</u>	<u>Original Term</u>
CERTIFICATES OF DEPOSIT					
\$200,000.00	W/S	4-10-85	8.50	Cloud County	30 Days
49,492.80	Sm. Animal Tr.	5-14-85	9.75	Cloud County	182 Days
35,831.00	Cem. End.	4-06-86	10.50	Cloud County	30 Months

INSURED INVESTMENTS/SUPER SAVER ACCOUNTS:

\$575,000.00	Misc.		Varies	Cloud County	EOM
425,000.00	Misc.			First Bank	EOM

PASSBOOK:

\$ 8,054.88	Water Deposit		8	Cloud County	Passbook
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\$1,293,378.68

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

<u>/s/ David E. Retter</u>	<u>/s/ Verna Scott</u>	<u>/s/ Rebecca Leon</u>
Acting City Manager	City Clerk	City Treasurer

VS:lf

ELECTION RESULTSPLACED ON FILE

Acting City Manager read the report from the Cloud County Clerk and County Election Officer certifying the results of the City General Election for the City of Concordia held on April 2, 1985, to be as follows:

For City Commissioner, Regular Term

D. L. Layton	1,424 votes
Ernest A. Girard	465 votes

For Commissioner, Unexpired Term

Greg Hatton	762 votes
Armand Racette	430 votes
Karen Dunlap	266 votes
William Partridge	227 votes

Following the reading of the election results from the County Clerk Betty DeWitt, Mayor Smith declared D. L. Layton to be elected for the regular term of City Commissioner and Greg Hattan to be elected for the unexpired term of City Commissioner.

KEYS TO THE CITYERNEST A. GIRARD & KAREN DUNLAP

Acting City Manager thanked retiring commissioners Ernest A. Girard and Karen Dunlap for their service to the City and presented them with "Keys to the City" in appreciation for their service.

OATH OF OFFICE - CITY COMMISSIONER (REGULAR TERM)D. L. LAYTON

Acting City Manager advised the Commission that city ordinance prescribes that elected officials take the Oath of Office before entering into the duties of their office. City Clerk Scott administered the Oath of Office to Commissioner D. L. Layton for a three year term.

OATH OF OFFICE - CITY COMMISSIONER (UNEXPIRED TERM)GREGORY L. HATTAN

MINUTES OF REGULAR CITY COMMISSION MEETING HELD APRIL 17, 1985. (cont'd)

ANNUAL COMMISSION REORGANIZATION

SELECTION OF MAYOR

The Acting 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, Commissioner Layton moved that Gregory L. Hattan be elected to serve as Mayor for the ensuing year. Commissioner Smith seconded the motion. Motion carried unanimously.

DESIGNATION OF OFFICIAL CITY NEWSPAPER

BLADE-EMPIRE

Motion was made by Commissioner Layton, seconded by Commissioner Smith 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.

APPROPRIATION ORDINANCE NO. 7

APPROVED

Appropriation Ordinance No. 7 was approved according to law.

Ordinance No. 2410 (Changing City Commission Meeting Time
from 4:45 P.M. to 4:00 P.M.)

APPROVED

An Ordinance entitled "AN ORDINANCE SPECIFYING THE TIMES AND PLACE OF MEETING OF THE COMMISSION OF THE CITY OF CONCORDIA, KANSAS; REPEALING SECTION 2 OF ORDINANCE NO. 2404 OF SAID CITY, AS CODIFIED IN THE CONCORDIA CODE, SECTION 2-72: AND AMENDING THE CONCORDIA CODE BY ADDING A SECTION TO BE NUMBERED 2-73" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Hattan, Smith and Layton. "Nay": None. With all 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 No. 2410.

DISCUSSION OF STUDY SESSION MEETING TIMES

Acting City Manager Retter advised the Commission that Study Session times had been addressed in the new ordinance numbered 2410, but that special meeting times can be called by the City Commission at any official city commission meeting.

JERRY JOLER REQUEST

DISCUSSED

Jerry Joler was present at the Commission meeting to request that the City eliminate a drive entrance into Block 5, College Heights Addition directly south of the golf course on Republican Street. Mr. Joler has made this request because that entrance is not properly located for his future development plans.

Acting City Manager Retter explained to the Commission that there may be an easement existing and that research would have to be done before any decision could be made and suggested they table the discussion for now.

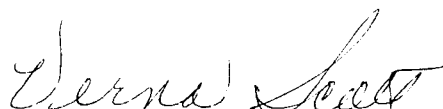
Mr. Joler then stated the only existing easement was a Centel utility easement. The Commissioners asked Acting City Manager Retter to investigate and get back with Mr. Joler.

STUDY SESSION

DATE SET

The Commission set the date of April 23, 1985 at 12:00 o'clock Noon as the next study session.

There being no further business, motion was made by Commissioner Hattan, seconded by Commissioner Smith and duly carried to adjourn the meeting until 12:00 o'clock Noon on April 23, 1985.


Verna Scott, City Clerk

(Seal)

VS:lf

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 1, 1985.

The City Commission met in Regular Session on May 1, 1985 at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

Other officers present: Acting City Manager Retter, City Manager Randy Wetmore and City Clerk Scott.

Visitors present: Jim Lowell from The Blade-Empire, Dallas Nading from The Kansan, Jerry Jones, Dennis Rohr, Annamary Naylor, Wilbur Naylor, Janene Eich, David Wheaton, Gene Miller, and Larry Blochlinger.

Minutes of the April 17, 1985 meeting were approved as written.

PROCLAMATION

NATIONAL NURSE DAY

Jerry Jones from St. Joseph Hospital was present to ask the Commission to proclaim May 6, 1985 as National Nurse Day. The Mayor signed the proclamation.

PROCLAMATION

NATIONAL MUSIC WEEK

Annamary Naylor and Janene Eich were present to ask the Commission to proclaim the week of May 5th through May 12, 1985 as National Music Week. The Mayor signed the proclamation.

CITY HALL ROOF LITIGATION

DISMISSED

City Attorney David Retter advised the Commission that the insurance companies representing the City and David Erickson regarding the roof damage that had occurred in 1983 had met and settled the litigation out of court.

APPROPRIATION ORDINANCE NO. 8-8A

PASSED

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

RESOLUTION NO. 762 (TEMPORARY NOTES FOR ST-84-REPUBLICAN AND ST-84-K-9(KLINK) PASSED

Acting City Manager Retter presented to the Commission the issuance of \$ 275,000.00 for Project ST-84-Republican (FAU 15 U-0893-01) and \$124,150.32 for Project ST-84-K-9(KLINK) in temporary notes for the City of Concordia at an interest rate of 6.75% per annum to provide for construction of main trafficway thoroughfares on Republican Street and K-9 Highway all within the City of Concordia. After a brief discussion, motion was made by Commissioner Smith, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 762 be adopted.

CLOUD COUNTY COOP ELEVATOR ASSOCIATION INDUSTRIAL BOND ORDINANCE

DEFERRED

Acting City Manager Retter advised the Commission that bond counsel Gaar & Bell, had requested that the Industrial Revenue Bond Ordinance for the Cloud County Co-op Elevator association be deferred.

Following a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission to defer any action on the industrial bond ordinance until May 15, 1985.

LEASE - WEATHER SERVICE OFFICE

APPROVED

The Acting City Manager presented to the Commission a new lease agreement that has been negotiated between the City and the National Weather Service at Blosser Municipal Airport. Basic provisions of the new lease are as follows:

1. \$4,855.45 per annum rental charge for 1,805 square feet of space. The cost per square foot is approximately \$2.69.
2. \$7,800.00 per annum for specified services and utilities including electricity, water and natural gas. This figure is reviewed annually during the term of the lease and with the concurrence of the National Weather Service, adjusted if necessary to cover increased utility costs. This amount is increased on this amendment from \$6,816.00 per annum to \$7,800.00 per annum.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 1, 1985 (cont'd.)

increased utility costs and expenses incurred in operating the weather bureau building and amends the dates to the Weather Service Office fiscal year rather than the calendar year used by the City.

Following a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission to authorize the mayor to execute the lease agreement amendment with the National Weather Service Office, said lease to run through September 30, 1988.

TOURIST INFORMATION CENTER AGREEMENT

AUTHORIZED

Acting City Manager Retter advised the Commission that an agreement had been negotiated between the Kansas Department of Economic Development and the City of Concordia on the Tourist Information Center located at the Airport Park. Following a brief discussion, motion was made by Commissioner Smith, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission to authorize the mayor to sign the agreement for the Tourist Information Center.

APPOINTMENT TO RECREATION COMMISSION

DARRELL COTTINGHAM

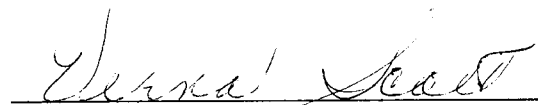
The City Clerk presented to the Commission a recommendation from the Kiwanis Club to appoint Darrell Cottingham to a four year term running through January 21, 1988. Mr. Cottingham has been contacted and has agreed to serve. After a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried to appoint Darrell Cottingham to a four year term on the Recreation Commission, said term to expire on January 21, 1988.

STUDY SESSION

DATE SET

The Commission set the date of May 7, 1985 at 11:00 o'clock a.m. as the next Study Session.

There being no further business, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried to adjourn the meeting until 11:00 o'clock a.m. on May 7, 1985.



Verna Scott
City Clerk

(Seal)

VS:lf

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD MAY 7, 1985.

The City Commission met in adjourned session at 11:00 o'clock a.m. on May 7, 1985 in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

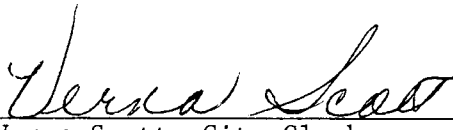
Other Officers present: City Manager Wetmore, City Clerk Scott, City Attorney Retter and Administrative Assistant Peterson.

ORDINANCE NO. 2411 (REGULATING SATELLITE ANTENNAS)

PASSED

An ordinance entitled "AN ORDINANCE REGULATING SATELLITE ANTENNAS, AND AMENDING ORDINANCE NO. 1829, AS AMENDED (HEREINAFTER, THE "ZONING ORDINANCE") OF THE CITY OF CONCORDIA, KANSAS, BY ADDING A NEW SUBSECTION TO BE NUMBERED 69A TO SECTION 1 OF ARTICLE 111 OF THE ZONING ORDINANCE" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Hattan, Smith and Layton, "Nay": None. With all 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 No. 2411.

There being no further business, motion was made by Commissioner Smith, seconded by Commissioner Layton and duly carried to adjourn the meeting.



Verna Scott, City Clerk

(Seal)

VS:lf

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 15, 1985.

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

Other officers present: City Manager Wetmore, City Clerk Scott, City Attorney Retter and Administrative Assistant Peterson.

Visitors present: Brad Lowell from The Blade-Empire, Dallas Nading from The Kansan, Norman Johnson, Darrell Nelson, Paul A. Johnson, Dale J. Martin, Martin Molter, William Partridge, Betty Everitt, Loretta Rogers, Carolyn Swenson, Bill Jackson, John Caton, JoAnn Frederick, Ray Houser, Gene Miller, Quentin Nault, Bud Hefner, Larry Letourneau and David Wheaton.

Minutes of the May 1 and May 7, 1985 meetings were approved as written.

PROCLAMATION

INDUSTRY APPRECIATION WEEK

Gene Miller, Ray Houser and Larry Letourneau were present at the meeting to ask the Commission to proclaim the week of June 2nd through June 8th, 1985 as Industry Appreciation Week. The Mayor signed the proclamation.

TEFRA HEARING-CO-OP INDUSTRIAL REVENUE BONDS

HELD

City Attorney David Retter stated that at this time, a hearing before the Governing Body is convened as prescribed by Federal Law to hear opinions on the issuance of Industrial Revenue Bonds to Cloud County Co-op Elevator Association.

No one was present to object to the issuance of the Industrial Revenue Bonds to the Cloud County Co-op Elevator Association.

Following the TEFRA (Tax Equity and Fiscal Responsibility Act) hearing, the Commission passed the following ordinance.

ORDINANCE NO. 2412-INDUSTRIAL REVENUE BONDS
FOR CLOUD COUNTY CO-OP ELEVATOR ASSOC.

PASSED

An ordinance entitled "AN ORDINANCE AUTHORIZING THE CITY OF CONCORDIA, KANSAS TO ISSUE ITS INDUSTRIAL REVENUE BONDS, SERIES A, 1985 (THE CLOUD COUNTY COOPERATIVE ELEVATOR ASSOCIATION, INC.) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,100,000 FOR THE PURPOSES OF PURCHASING, ACQUIRING, CONSTRUCTING AND INSTALLING AN INDUSTRIAL PROJECT: AUTHORIZING EXECUTION OF A TRUST INDENTURE BY AND BETWEEN THE CITY AND CLOUD COUNTY BANK & TRUST, IN THE CITY OF CONCORDIA, KANSAS, AS TRUSTEE; AUTHORIZING THE CITY TO LEASE SAID PROJECT TO THE CLOUD COUNTY COOPERATIVE ELEVATOR ASSOCIATION, INC. AND AUTHORIZING EXECUTION OF A LEASE BETWEEN SAID CITY AND THE CLOUD COUNTY COOPERATIVE ELEVATOR ASSOCIATION, INC.; APPROVING THE FORM OF A GUARANTY AGREEMENT BY AND BETWEEN THE CLOUD COUNTY COOPERATIVE ELEVATOR ASSOCIATION, INC. AND THE CLOUD COUNTY BANK & TRUST; AND AUTHORIZING THE EXECUTION OF THE BOND PURCHASE AGREEMENT FOR THE BONDS BY AND AMONG THE CITY, THE CLOUD COUNTY COOPERATIVE ELEVATOR ASSOCIATION, INC. AND UNITED SECURITIES, INC., AS PURCHASER OF THE BONDS." was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Hattan and Layton. "Nay": None. Commissioner Smith abstained from the voting. 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 No. 2412.

BOND PURCHASE AGREEMENT

CO-OP ELEVATOR ASSOCIATION

The City Attorney discussed the provisions of the ordinance and he noted that Section 7 of Ordinance No. 2412 authorized and provided for the bonds to be sold and delivered to United Securities, Inc., upon the terms and subject to the provision of the Bond Purchase Agreement authorized by the ordinance, dated May 15, 1985.

ALLEY VACATION IN BLOCK E, FOSTER'S ADDITION (RON DEAL)

DENIED

City Manager Wetmore stated that at this time, a hearing before the Governing Body is convened as prescribed by the Code of the City of Concordia to consider a vacation of the alley in Block E, Foster's Addition within the City of Concordia. A Petition for the vacation of this alley has been filed On March 19, 1985 by Mr. Ronald H. Deal, owner of Lots 1-2-3-10-11-12-13 & 14 in Block E, of Foster's Addition. Mr. Deal had requested this vacation in order to control traffic in this alley.

William Partridge of Centel Corporation was present at the meeting to object to the vacation due to easements needed for electrical power lines in the alley. Mr. Dale J. Martin, representing Southwestern Bell Telephone Co. stated that his company did not object to the vacation as long as some provisions were made for the telephone company to repair their lines that were in the alley. Mr. Paul A. Johnson, City Engineer, was present to object to the vacation because of the maintenance and easements needed to be

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 15, 1985 (cont'd)

Administrative Assistant Michael Peterson advised the Commission that he had checked the property just prior to the meeting and had found nothing done to abate the nuisance which is an abandoned car that is not tagged or runnable.

Following these comments, Mr. Wetmore presented to the Commission a resolution determining the existence of the nuisance and requiring removal or abatement. The Commission examined and considered the resolution, after which it was moved by Commissioner Smith, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 763 be adopted and allowed an additional 10 days for Ms. Orpha Kuhn to abate the nuisance at Kansas and 14th Streets.

STUDY SESSIONDATE SET

The Commission set the date of May 23, 1985 at 11:00 o'clock as the next Study Session.

AUDIENCE WITH VISITORSSTOP LIGHT REQUEST AT 11TH &REPUBLICAN

Carolyn Swenson, Lorette Rogers and Betty Everitt representing the New Town and Country EHU were present at the meeting to request that a stop light be erected at 11th and Republican Street. Following a brief discussion, Commissioner Hattan advised the visitors that the City Manager would study the situation by checking traffic counts, et. and would get back with Mrs. Swenson and her delegation at a later date.

There being no further business, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried to adjourn the meeting until 11:00 o'clock on May 23, 1985.



Verna Scott
City Clerk

(Seal)

VS:vj

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD MAY 23, 1985.

The City Commission met in adjourned session at 11:00 o'clock a.m. on May 23, 1985, in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

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

ENGINEER'S ESTIMATE OF COST (ST-85-REPUBLICAN II)APPROVED

Motion was made by Commissioner Smith, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission, to approve the Engineer's Estimate of Cost for lowering water mains, cut-in side mains and clearing right-of-way for the construction of Republican Street in the City of Concordia, Cloud County, Kansas, in the amount of \$13,795.20. The apportionment of cost on this project shall be 100% to be assessed against the city-at-large.

ORDINANCE NO. 2413 (ST-85-REPUBLICAN II)PASSED

An ordinance entitled "AN ORDINANCE AUTHORIZING THE IMPROVEMENT OR REIMPROVEMENT OF CERTAIN MAIN TRAFFICWAYS DESIGNATED AS SUCH PURSUANT TO K.S.A. 12-685, ET SEQ. AS AMENDED, IN 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": Hattan, Smith and Layton. "Nay": None. With all 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. 2413.

RESOLUTION NO. 763 (ANNEXATION OF CLOUD CO. CO-OP ELEVATOR)PASSED

The City Attorney presented to the Commission a resolution for the annexation of a tract of land in Government Lot 4, in Section 32, Township 5 South, Range 3 West of the 6th P.M. in Cloud County, Kansas, which has been petitioned for by the Board of Directors of the Cloud County Cooperative Elevator Association, Inc.

This resolution authorizes the City Attorney to go before the Cloud County Commission for approval of this annexation. Also, this resolution directs the City Clerk to file with the Board of County Commissioners a certified copy of said resolution.

Following a brief discussion, Commissioner Hattan moved that Resolution No. 763 authorizing the City Attorney to appear before the Cloud County Commisisoners on behalf of Cloud County Cooperative Elevator Association, Inc. for annexation into the City of Concordia, that said annexation will not hinder or prevent proper growth and development of the area and also authorizing the City Clerk to file a certified copy of said resolution with the Cloud County Commission. Commissioner Smith seconded the motion. Motion carried unanimously.

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



Verna Scott
City Clerk

(Seal)

VS:lf

MINUTES OF THE SPECIAL CALL MEETING HELD MAY 24, 1985.

The City Commission met in special session at 4:00 o'clock p.m. on the 24th day of May, 1985, in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioner Layton present. Absent: Commissioner Smith.

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

Visitors present: None.

Commissioner Hattan 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 CITY COMMISSIONERS:

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

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

Date: May 24, 1985

Time: 4:00 p.m.

The object of said meeting will be as follows:

1. Passage of resolution providing for the issuance of temporary notes of the City of Concordia, Kansas, in the principal amount of \$399,150.32 to temporarily finance the costs of certain main trafficway improvements previously authorized by Ordinance Nos. 2400 and 2401.

Dated this 24th day of May, 1985.

/s/ Gregory L. Hattan

/s/ D.L. Layton

NOTICE OF SPECIAL CITY COMMISSION MEETING

CITY OF CONCORDIA, KANSAS

TO: Gregory L. Hattan, William B. Smith and D.L. Layton.

You are hereby notified that there will be a special meeting of the Board of Commissioners at 4:00 o'clock p.m. on the 24th day of May, 1985, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

1. Passage of resolution providing for the issuance of temporary notes of the City of Concordia, Kansas, in the principal amount of \$399,150.32 to temporarily finance the costs of certain main trafficway improvements previously authorized by Ordinance Nos. 2400 and 2401.

/s/ Verna Scott
City Clerk

(Seal)

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

You are hereby directed to served the above notice at once personally upon Commissioners Hattan, Layton and Smith, or to leave said notice at the usual place of residence of said Commissioners before 2:00 o'clock p.m. on the 24th day of May, 1985, and to make a return in writing of said service, showing the manner of such service.

/s/ Verna Scott
City Clerk

RETURN OF SERVICE

The undersigned received the original notice of special City Commission meeting, of which the foregoing is a copy, at 11:47 o'clock a.m. on the 24th day of May, 1985, (Gregory L. Hattan); 11:56 o'clock a.m. on the 24th day of May, 1985, (D.L. Layton); and 12:00 o'clock noon on the 24th day of May, 1985, (William B. Smith); and:

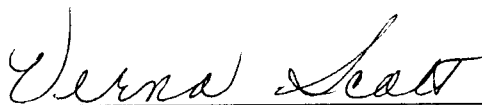
1. Served the same personally on Commissioners Gregory L. Hattan and D.L. Layton.

2. Left the said original notice at the usual place of residence of said Commissioner William B. Smith at 12:00 o'clock noon on the 24th day

MINUTES OF THE SPECIAL CALL MEETING HELD MAY 24, 1985, cont'd.

\$275,000.00 for the ST-84-Republican Project and \$124,150.32 for the ST-84-K-9 Project in temporary notes for the City of Concordia at an interest rate of 6.75% per annum to provide for the authorized improvement or reimprovement of certain main trafficways in the City of Concordia. These temporary notes were authorized by Ordinance Numbered 2400 and 2401 of the City of Concordia. After a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Hattan and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission that Resolution No. 764 authorizing the issuance of said temporary notes be adopted.

There being no further business, motion was made by Commissioner Hattan, seconded by Commissioner Layton, and duly carried to adjourn the meeting.



Verna Scott, City Clerk

(Seal)

VS:lf

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 5, 1985

The City Commission met in regular session on June 5, 1985 at 4:00 p.m. in the City Commission Room in City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

Other officers present: City Manager Randy Wetmore, City Attorney David Retter, and Administrative Assistant Michael Peterson.

Visitors present: Brad Lowell from The Blade-Empire, Dallas Nading from The Kansan, Dean R. Cairns, Ernest Girard, Ross Olson, Larry Letourneau, Jim Ihrig, Ken Goff, V. O. Dutch Braun, Ruth Harris, Bob O'Connell, Ruby Cairns, Myra Wilson, Dennis Rohr, Jack E. Teegarden, Philip Schlup, and Larry Blochlinger.

Minutes of the May 15, 1985 regular meeting, May 23, 1985 adjourned meeting and May 24, 1985 special call meeting were approved as written.

APPROPRIATION ORDINANCES NOS. 10 AND 10A

APPROVED

Appropriation Ordinance Nos. 10 and 10A were approved according to law.

PRESENTATION

ERNEST GIRARD

Mayor Hattan presented a plaque of appreciation to Ernest Girard expressing his appreciation for his three years of service to the community.

EMERGENCY PREPAREDNESS PLANNER

JACK TEEGARDEN

Mr. Jack Teegarden, Disaster Planning Coordinator, with the State Department of Emergency Preparedness in Topeka was present at the meeting to explain to the Commissioners the work he is doing in this area regarding the updating of emergency preparedness plans. The county currently has a plan, and his office is proposing a plan for the City to have in conjunction with the County, and thus coordinate the efforts should a disaster arise. Both departments would then be prepared to react to any situation in an orderly manner. His primary goal now is to do research on the resources, facilities and personnel that are currently available. After he has gathered this information, he will prepare a plan to submit to the Commission for their approval or modifications. Mr. Teegarden further explained additional data he has gotten, and with their approval will submit a plan to the City in approximately two to three weeks.

1985 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

PUBLIC HEARING

The City Manager announced that this time had been scheduled for a public hearing on the application for 1985 Community Development Block Grant Funds. He advised the Commission that Michael Peterson was present at the meeting to explain the proposed project that will be considered for funding.

Mr. Peterson explained that based on the requirements and regulations outlined by the Kansas Department of Economic Development that two options had been proposed. The first is a plan to do street improvements on both Olive and Kansas Streets, that would include concrete curb and gutter on both streets, storm sewer inlets and storm sewer pipe, fire plugs, and on Olive Street alone a six-inch waterline and concrete sidewalk. The total cost, including administration and engineering costs would be \$254,623.50. However, he proposed that certain segments of this project could be completed using existing City equipment, staff, or funds, with that share being \$54,623.50, thus we would apply for a grant amount of \$200,000.00. The second option is to do only Olive Street at a total cost of \$144,238.50, and the City's share of construction cost being \$34,238.50, thus applying for a grant in the amount of \$110,000.00.

Also discussed at length was the possibility of including the cost of the intersections into the City share. Cost of the intersection work is estimated at \$31,083.00. This would be charged to the city-at-large.

Following considerable discussion, motion was made by Commissioner Smith, seconded by Commissioner Layton and duly carried by the entire members-elect of the Commission to submit an application for the proposed first option, that being street improvements for both Olive and Kansas Streets, including the intersections in the City share. The intersections will be paid for by the city-at-large.

ORDINANCE NO. 2414 (DRIVERS LICENSE APPLICATIONS BY MINORS)

PASSED

An ordinance entitled "AN ORDINANCE RELATING TO DRIVER'S LICENSE APPLICATIONS BY MINORS UNDER THE AGE OF SIXTEEN (16) YEARS RESIDING IN THE CITY OF CONCORDIA, KANSAS, AND REPEALING

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 5, 1985 (cont'd)

CONCORDIA CODE SECTION 23-7" was read and considered by the Commission. After discussion, a motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission. With the entire members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to, and the Mayor assigned to it No. 2414.

PUBLIC HEARING - NUISANCE ABATEMENTDISMISSED

Mayor Hattan stated that at this time, a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Concordia to consider whether a nuisance exists at the following location:

1. 212 W. 3rd

The City Manager advised the Commission that City Staff had checked on the nuisance on the morning of June 5, 1985, and that the conditions that prompted the original nuisance abatement had been alleviated to the satisfaction of City Staff.

RESOLUTION NO. 765 (RELATING TO REPAIR AND CONSTRUCTION OF CURBS
AND GUTTERS WITHIN THE CITY)

APPROVED

The City Attorney presented to the City Commission a resolution that would repeal Resolution No. 656 relating to repair and construction of curbs and gutters within the City. After a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 765 relating to repair and construction of curbs and gutters within the City be approved.

STUDY SESSIONDATE SET

The Commission set the date of June 12, 1985 at 11:00 a.m. as the next Study Session date.

AUDIENCE WITH VISITORS

Mr. Ross Olson spoke in behalf of some of the visitors present regarding their concern about fire protection in our community, and the possible limitation of the time given by the firemen. He expressed their concern, and indicated that they did not want any changes made in this area, that if it was necessary to pay overtime or hire another fireman, this should be considered, Mr. Olson urged the Commission to get in touch with the Insurance Service Office in Topeka to make sure we would still maintain our present fire insurance rating of 6 within the City, or whether a proposed change would have an effect on our rating.

City Manager Wetmore explained to the group that because of the new law the City is looking into the number of hours accrued by the firemen, with particular concentration on the overtime pay, to a person who is working a regular shift, with an end result to be an equitable solution for all concerned.

Mr. Olson further stated their concern that we have an adequate number of firefighters available to respond to an emergency situation, and if we're worried about having to pay overtime and not having the manpower available, what's the cost to the community and especially if there is a life involved. Again Mr. Olson stated that the group wanted to express their support for the current program. Bob O'Connell and Sheriff Dean Cairns also express their support for the current program, and Sheriff Cairns indicated that if the county could be of assistance they would be available for help.

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

Susan Brummer

Susan Brummer, Acting Secretary *of*

MINUTES OF SPECIAL CALL MEETING HELD ON JUNE 12, 1985.

The City Commission in special session at 11:00 o'clock a.m. on the 12th day of June, 1985, in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioner Layton present. Absent: Commissioner Smith.

Other officers present: City Manager Wetmore and City Clerk Scott.

Visitors present: None.

Commissioner Hattan 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 CITY COMMISSIONERS:

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

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

Date: June 12, 1985

Time: 11:00 a.m.

The object of said meeting will be as follows:

1. Passage of resolution authorizing application for federal grant funds under the Kansas Small Cities Community Development Block Grant Program for public facilities, for the improvements of Kansas and Olive Streets from Second to Fifth in the amount of \$175,000.00 with the City providing \$80,000.00 to provide remaining funding.

Dated the 11th day of June, 1985.

/s/ Gregory L. Hattan

/s/ William Smith

/s/ D.L. Layton

NOTICE OF SPECIAL CITY COMMISSION MEETING

CITY OF CONCORDIA, KANSAS

TO: Gregory L. Hattan, William B. Smith and D.L. Layton

You are hereby notified that there will be a special meeting of the Board of Commissioners at 11:00 o'clock a.m. on the 12th day of June 1985, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

1. Passage of Resolution authorizing application for federal grant funds under the Kansas Small Cities Community Development Block Grant Program for public facilities, for the improvements of Kansas and Olive Streets from Second to Fifth in the amount of \$175,000.00 with the City providing \$80,000.00 to provide remaining funding.

/s/ Verna Scott
City Clerk

(Seal)

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

You are hereby directed to serve the above notice at once personally upon Commissioners Hattan, Layton and Smith, or to leave said notice at the usual place of residence of said Commissioner before 9:00 o'clock a.m. on the 12th day of June 1985, and to make a return in writing of said service, showing the manner of such service.

/s/ Verna Scott
City Clerk

RETURN OF SERVICE

The undersigned received the original notice of special City Commission meeting, of which the foregoing is a copy, at 2:10 o'clock p.m. on the 11th day of June, 1985, (William B. Smith); 2:26 o'clock p.m. on the 11th day of June, 1985, (Gregory L. Hattan); and 3:47 o'clock pm. on the 11th day of June, 1985 (D.L. Layton); and:

1. Served the same personally on Commissioners Gregory L. Hattan, William B. Smith and D.L. Layton.

/s/ Verna Scott
City Clerk

MINUTES OF THE SPECIAL CALL MEETING HELD ON JUNE 12, 1985, cont'd.

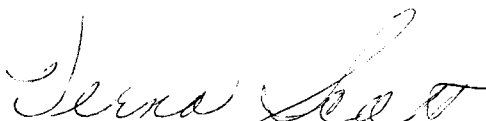
RESOLUTION NO. 766 (APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS)

PASSED

The City Manager presented to the Commission a resolution authorizing the City of Concordia to apply for federal grant funds under the Kansas Small Cities Community Development Block Grant Program for public facilities, specifically for the improvements of Kansas and Olive Streets from Second to Fifth Street; this resolution also commits City of Concordia funds in the amount of \$80,000.00 to provide the remaining funding to facilitate the project and the City of Concordia also commits what funds are necessary (estimated to be not more than \$2,000.00 per five-year interval) to perform such maintenance activities as will be necessary to insure proper operation and continued maintenance to those aforementioned streets.

Following a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Hattan and duly carried by the affirmative vote of two-thirds of the members-elect of the commission that Resolution No. 766 authorizing the application for federal grant funds under the Kansas Small Cities Community Development Block Grant Program for public facilities, be adopted.

There being no further business, motion was made by Commissioner Layton, seconded by Commissioner Hattan and duly carried to adjourn the meeting.



Verna Scott
City Clerk

(Seal)

VS:lf

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD ON JUNE 19, 1985.

The City Commission met in regular session at 4:00 o'clock p.m. on June 19, 1985 in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

Other officers present: City Manager Wetmore, City Clerk Scott, City Attorney Retter and Administrative Assistant Peterson.

Visitors present: Jim Lowell from The Blade-Empire, Dallas Nading from The Kansan and Dennis Rohr.

Minutes of the June 5, 1985 and June 12, 1985 meetings were approved as written.

APPROPRIATION ORDINANCE NO. 11 APPROVED

Appropriation Ordinance No. 11 was approved according to law.

BID AWARD - TEMPORARY NOTES (ST-85-REPUBLICAN II) FIRST BANK AND TRUST

City Manager Wetmore presented to the Commission a bid received on June 14, 1985 for the purchase of a temporary note, Series 1985-B, totaling \$13,795.20 to finance the lowering of water main, cutting in water mains for the construction of Republican Street in the City of Concordia.

The following bid was received:

<u>BANK</u>	<u>ANNUAL INTEREST COST</u>	<u>INTEREST RATE (%)</u>
First Bank and Trust	\$958.77	6.95%
Cloud County Bank	No bid received	

City Manager Wetmore advised that it was his recommendation to accept the bid of First Bank & Trust with an annual interest cost of \$958.77. After a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried by the affirmative vote of all the members-elect of the Commission that the bid for Series 1985-B Temporary Notes issue be awarded to First Bank & Trust with an annual interest cost of \$958.77.

ORDINANCE NO. 2415 (STANDARD TRAFFIC ORDINANCE RELATING TO DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS) PASSED

City Attorney Retter explained to the Commission the need to bring the City's Standard Traffic Ordinance into conformity with state law which becomes effective July 1, 1985. He stated that the necessary fine schedule imposed by City Regulations must be at the same level or higher than that established by the State and repealing sections of our traffic ordinance not in conformance with state law.

An ordinance entitled "AN ORDINANCE RELATING TO OPERATING A VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS WITHIN THE CITY OF CONCORDIA, KANSAS; AND REPEALING SUBSECTIONS (a), (b), (c), (e) and (j) OF SECTION 30 OF THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES AS INCORPORATED BY SECTION 23-1 OF THE CONCORDIA CODE" was read and considered by the Commission.. Following a lengthy discussion on the ordinance, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission. 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. 2415.

PUBLIC HEARINGS - NUISANCE ABATEMENTS DISMISSED

Mayor Hattan announced that at this time, a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Concordia to consider whether a nuisance exists at the following locations:

- 1. 315 E. 2nd (Jack Strait)
- 2. 611 E. 1st (C & C Trucking)
- 3. 522 W. 8th (David Wilson)

The City Manager advised the Commission that City Staff had checked on the

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 19, 1985 Cont'd.

above nuisances on the morning of June 19, 1985, and that the conditions that prompted the original nuisance abatement had been alleviated to the satisfaction of City Staff.

RESOLUTION NO. 767 (NUISANCE ABATEMENT)ROBERT AYTES

City Manager Wetmore stated that at this time, a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Concordia, to consider whether a nuisance exists at the following location:

1. Kansas & 14th Street

Administrative Assistant Michael Peterson advised the Commission that he and Mr. Wetmore had checked the property prior to the meeting and had found nothing done to abate the nuisance. He also informed the Commission that this was the second nuisance abatement notice to be served, the first one had been sent to the owner of record of the vehicle involved and when an attempt had been made to remove the vehicle, the owner of the property at 14th & Kansas, Mr. Robert Aytes, had claimed ownership of the vehicle. Following this development, Mr. Aytes had been served with a like abatement notice.

Following these comments, Mr. Wetmore presented to the Commission a resolution determining the existence of the nuisance and requiring removal or abatement. The Commission examined and considered the resolution, after which it was moved by Commissioner Smith, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 767 be adopted and allowed an additional 10 days to remove or abate such nuisance.

STUDY SESSIONDATE SET

The Commission set the date of June 24, 1985, at 11:00 a.m. as the next Study Session.

There being no further business, motion was made by Commissioner Smith, seconded by Commissioner Layton and duly carried to adjourn the meeting to 11:00 o'clock a.m. on June 24, 1985.



Verna Scott, City Clerk

(Seal)

VS:lf

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JUNE 24, 1985

The City Commission met in adjourned session at 11:00 o'clock a.m. on June 24, 1985 in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

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

Visitors present: Dallas Nading from The Kansan and Larry Blochlinger.

ORDINANCE NO. 2416 (ANNEXATION OF CO-OP ELEVATOR SITE)

PASSED

City Attorney Retter advised the Commission that he had appeared before the Cloud County Commissioners regarding the annexation of the Cloud County Co-op Elevator site. He stated that no one appeared before the Cloud County Commissioners to voice objections. This discussion was followed by passage of Ordinance No. 2416.

An ordinance entitled "AN ORDINANCE ANNEXING CERTAIN LAND TO THE CITY OF CONCORDIA, KANSAS, IN CONFORMITY WITH THE PROVISIONS OF K.S.A. 12-520c" was read and considered by the Commission. Following a discussion on the ordinance, motion was made by Commissioner Smith, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission. 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. 2416.

RESOLUTION NO. 768 (TEMPORARY NOTES FOR ST-85-REPUBLICAN II)

PASSED

The City Attorney presented to the Commission a resolution authorizing the issuance of \$13,795.20 for the ST-85-Republican II Project in temporary notes for the City of Concordia at an interest rate of 6.95% per annum to provide for the authorized improvement of lowering water mains and cut-in side mains to clear right-of-way for construction of Republican Street in the City of Concordia. These temporary notes were authorized by Ordinance Numbered 2413 of the City of Concordia. After a brief discussion, motion was made by Commissioner Smith, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 768 authorizing the issuance of said temporary notes be adopted.

RESOLUTION NO. 769 (AMENDING CURB AND GUTTER POLICY)

PASSED

The City Manager presented to the City Commission a resolution that would repeal Resolution No. 765 relating to the apportionment of costs for curb and guttering projects. Resolution No. 769 prescribes that the city-at-large cost of any curb and gutter replacement project shall not exceed twenty-five percent (25%). Following a lengthy discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 769 relating to apportionment of costs for the repair and construction of curbs and gutters within the City be approved.

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



Verna Scott, City Clerk

(Seal)

VS:sb

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 3, 1985

The City Commission met in regular session at 4:00 o'clock p.m. on July 3, 1985 in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

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

Visitors present: Brad Lowell from The Blade-Empire, Dallas Nading from The Kansan, Delmer F. Harris, Jr., Larry Blochlinger, Dennis Rohr and Sam Budreau.

Minutes of the June 19, 1985 and June 24, 1985 meetings were approved as written.

APPROPRIATION ORDINANCE NO. 12-12AAPPROVED

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

SERVICE AWARDSHOWARD S. BUDREAU & DENNIS ROHR

A Silver Award was presented to Detective Howard S. "Sam" Budreau for heroic action taken during a fire that occurred on April 20, 1984, by the Kansas Chiefs of Police.

A Certificate of Appreciation was presented to Police Chief Dennis Rohr for his participation and development of programs and for his community service work.

SURETY BOND - CITY TREASURERREBECCA LEON

The City Manager advised the Commission that Section 2-52 of the City Code requires that the City Treasurer provide a surety bond in the amount of \$20,000 conditioned upon the faithful performance and discharge of her respective duties. Motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried unanimously to acknowledge the surety bond of Rebecca Leon as City Treasurer.

RESOLUTION NO. 771 (APPRAISAL SERVICES AGREEMENT-HERMAN OAKES)FAA-AIRPORT PROJECT

The City Manager presented to the Commission a resolution which proposes that Herman M. Oakes, a qualified appraiser, be retained to field inspect the property appraised and the comparable sales considered by the appraiser in arriving at the fair market value of the property, etc. If a field inspection is not made, the file will contain the reason.

The reviewing appraiser will examine the appraisal reports and determine that they are 1) in accordance with paragraph 23 in AC No. 150/5100-11 dated February 10, 1975; 2) follow accepted appraisal principles and techniques in the valuation of real property in accordance with existing state law; 3) contain or make reference to the information necessary to explain, substantiate and thereby document the conclusions and estimates of value and/or just compensation identified therein; 4) include consideration of compensable items, damages and benefits, but do not include compensation for items, damages and benefits noncompensable under State Law; 5) contain the estimated fair market value for or resulting from the acquisition, and where appropriate, in the case of a partial acquisition, either in the report or in a separate statement, a reasonable allocation of the estimate of the fair market value for the real property acquired and for damages to remaining real property.

The reviewing appraiser may supplement an appraisal report with corrections of minor mathematical errors where such errors do not affect the final value conclusion. He may also supplement the appraisal file where the following factual data has been omitted:

1. Owner's and/or tenant's name.
2. Parties to transaction, date of purchase and deed book reference on sale of subject property.
3. Statement that there were no sales of subject property in past 5 years.
4. Location, zoning or present use of subject property or comparables.

The reviewing appraiser will initial and date his corrections and or factual data supplements to an appraisal report.

The reviewing appraiser will place in the parcel file a signed and dated statement setting forth: 1) His estimate of just compensation; 2) Appraisal review shall reveal whether there was or was not a field inspection of the parcel to be acquired; 3) That he has no direct or indirect personal interest in such property; 4) That his estimate has been reached independently and is based on appraisals and other factual data.

The report shall contain the following:

- A. Description of the appraisal to be done in sufficient detail to show the nature and extent of the services contemplated.
- B. The requirement to testify in court if necessary.
- C. The appraiser warrants that he has not employed or retained any company other than a bonafide employee working solely for him to solicit or secure this agreement. For breach or violation of this warranty, the City shall have the right to annul this agreement without liability.
- D. A provision that would permit termination of this agreement by the City in case the appraiser is not complying with the terms of the agreement, the progress or quality of work is unsatisfactory or for other stated reasons.
- E. The appraiser is to follow accepted principles and techniques in the valuation of the property as outlined by the Department of Transportation and in accordance with existing state law.
- F. It is understood and agreed that the appraiser shall receive compensation for services performed hereunder in the total amount of One Thousand, Seven Hundred and Fifty Dollars (\$1,750.00).
- G. The appraiser agrees that his report and conclusions are for the confidential information of the City.
- H. Time is of primary importance and of the essence of this contract.

Following a discussion, motion was made by Commissioner Hattan, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission, that Resolution No. 771 authorizing the City to enter into an agreement with Herman M. Oakes, to perform the appraisal services needed for the Federal Aviation Administration, in the amount of \$1,750.00, be adopted.

RESOLUTION NO. 770 (ST-85-1; 18th ST. BETWEEN CEDAR & REPUBLICAN)

PASSED

The City Clerk presented to the City Commission the written petition of Ken Holechek, and 10 others, representing seventy-five percent (75%) of the owners of record of the property involved, proposing the reconstruction, grading, curbing, surfacing, guttering and drainage and incidental construction relating to Eighteenth Street between Republican Street and Cedar Street, including Lots 13 through 21, both inclusive and the South sixty-six feet (66') of Lots 22, 23, and 24, all in Block 30, in the City of Concordia, Cloud County, Kansas.

The Commission examined and considered the petition, after which it was moved by Commissioner Layton, seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the commission to approve Resolution No. 770.

ENGINEER'S ESTIMATE OF COST (ST-85-1; 18TH ST. BETWEEN CEDAR & REPUBLICAN)

APPROVED

Motion was made by Commissioner Layton, seconded by Commissioner Smith 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 reconstruction, grading, curbing, surfacing, guttering and drainage and incidental construction relating to Eighteenth Street between Republican Street and Cedar Street, including Lots 13 through 21, both inclusive and the south sixty-six feet (66') of Lots 22, 23, and 24, all in Block 30, in the City of Concordia, Cloud County, Kansas, in the amount of \$46,506.00. The apportionment of cost on this project shall be 50% to be assessed against the improvement district and 50% to be paid by the city-at-large.

STUDY SESSION

DATE SET

The Commission set the date of July 10, 1985, at 11:00 o'clock a.m. as the next study session.

There being no further business, motion was made by Commissioner Layton, seconded by Commissioner Hattan and duly carried to adjourn the meeting.



Verna Scott- City Clerk

(Seal)

VS:sh

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 17, 1985

The City Commission met in regular session at 4:00 o'clock p.m. on July 17, 1985 in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

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

Visitors present: Brad Lowell from The Blade-Empire, Dallas Nading from The Kansan, Larry Blochlinger, Larry Letourneau, Philip Schlup, Bob Burns, Ruth Harris, Delmar F. Harris, Jr., Chuck Knapp, Dean Cairns and David Wheaton.

Minutes of the July 3, 1985 meeting were approved as written.

APPROPRIATION ORDINANCE NO. 13 PASSED

Appropriation Ordinance No. 13 was passed according to law.

PROCLAMATION - KANSAS ALL-STAR EAST-WEST SHRINE BOWL DAY CHUCK KNAPP HONORED

The Mayor signed a proclamation honoring Chuck Knapp for being selected to play in the All-Star East-West Shrine Bowl Game and proclaimed August 3, 1985 as Kansas All-Star East-West Shrine Bowl Day.

PROCLAMATION CHAMBER OF COMMERCE WEEK

Larry Blochlinger and Larry Letourneau were present at the meeting asking the City Commission to proclaim the week of July 22 through July 27, 1985 as Chamber of Commerce Week. The Mayor signed the proclamation.

ORDINANCE NO. 2417 (AMENDING UNIFORM RULES AND REGULATIONS) APPROVED

An ordinance entitled "AN ORDINANCE RELATING TO COMPENSATION OF CERTAIN EMPLOYEES OF THE CITY OF CONCORDIA, KANSAS, AMENDING SECTIONS 3.16b, 3.16c, 3.18, 3.23, 3.24, AND 6.1 a OF THE UNIFORM PERSONNEL POLICIES AND REGULATIONS AND ADDING A SECTION 10.19 TO THE UNIFORM PERSONNEL POLICIES AND REGULATIONS FOR THE CITY OF CONCORDIA, (HEREINAFTER, "UPPR"), AS ADOPTED BY ORDINANCE NO. 2334 AS AMENDED, AND REPEALING SAID EXISTING SECTIONS OF THE UPPR," was read and considered by the Commission. Following a discussion on the ordinance, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission. 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. 2417.

RESOLUTION NO. 771 (PROJECT CG-85-BLOCK 106) PASSED

The City Clerk presented to the City Commission the written petition of Thomas M. Tuggle and six (6) others, representing seventy-seven point twenty-seven (77.27%) of the owners of record of the property involved, proposing the removal of existing curbing and guttering and the reconstruction, grading, curbing, guttering and incidental construction of the north side of Lots 1 through 10, both inclusive, Block 106, in the City of Concordia, Cloud County, Kansas.

The Commission examined and considered the petition, after which it was moved by Commissioner Smith, seconded by Commissioner Layton, and duly carried by the affirmative vote of the entire members-elect of the Commission to approve Resolution No. 771.

ENGINEER'S ESTIMATE OF COST (PROJECT CG-85-BLOCK 106) APPROVED

Motion was made by Commissioner Layton, seconded by Commissioner Smith 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 removal of existing curbing and guttering and the reconstruction, grading, curbing, guttering and incidental construction of the north side of Lots 1 through 10, both inclusive, Block 106, in the City of Concordia, Cloud County, Kansas, in the amount of \$8,287.25. The apportionment of cost on this project shall be 72.3% to be assessed against the improvement district and 27.7% to be paid by the city-at-large.

QUARTERLY INVESTMENT REPORTS 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.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 17, 1985 (cont'd)

Amount	Fund	Due Date	Interest Rate %	Interest Received	Original Term
\$ Varies	Misc.	4-01-85	Varies	154.25	31 Days
575,000.00	Misc.	4-01-85	Varies	3,779.25	31 Days
425,000.00	Misc.	4-02-85	Varies	3,186.73	31 Days
8,054.88	Wt. Deposit	4-08-85	8	105.50	Passbook
35,831.00	Cem. Endow.	4-08-85	10.50	1,881.13	30 Months
200,000.00	Water/Sewer	4-10-85	8.50	1,397.26	30 Days
Varies	Misc.	5-01-85	Varies	2,229.00	30 Days
Varies	Misc.	5-01-85	Varies	288.68	30 Days
Varies	Misc.	5-01-85	Varies	4,181.91	30 Days
100,000.00	Water/Sewer	5-13-85	8.25	723.29	32 Days
49,492.80	Sm. Animal Trust	5-14-85	9.75	2,406.17	182 Days
325,000.00	Misc.	6-03-85	Varies	2,141.66	31 Days
Varies	Misc.	6-03-85	Varies	288.83	31 Days
470,000.00	Misc.	6-03-85	Varies	3,788.01	31 Days
200,000.00	Water/Sewer	6-10-85	8.55	2,857.81	61 Days
TOTAL INTEREST RECEIVED - SECOND QUARTER				29,409.48	

The total of \$47,612.71 shows a decrease of 11% in interest earnings for the first half of 1985 over the same period in 1984.

The average interest rate for 1985 is 7.543% as compared to 9.10% for 1984, a drop of 1.557%.

The interest rates for 1985 have been steadily dropping, but seem to have leveled off at the current level.

Respectfully submitted,

/s/ Randy A. Wetmore
City Manager

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

Amount	Fund	Due Date	Interest Rate	Bank	Original Term
<u>CERTIFICATES OF DEPOSIT:</u>					
\$100,000.00	Wtr/Swr	7-15-85	8.15	Cloud County	60 Days
200,000.00	Wtr/Swr	8-09-85	7.25	Cloud County	60 Days
51,898.97	Sm. Animal Tr.	11-12-85	8.15	Cloud County	182 Days
11,398.34	Sm. Animal Tr.	11-12-85	8.15	Cloud County	182 Days
35,831.00	Cem. Endow.	4-06-86	10.50	Cloud County	30 Months

INSURED INVESTMENTS/SUPER SAVER ACCOUNTS:

\$420,000.00	Misc.	7-01-85	Varies	Cloud County	EOM
325,000.00	Misc.	7-01-85	Varies	First Bank	EOM

PASSBOOK:

\$ 8,451.42	Water Deposit	-0-	8.0	Cloud County	Passbook
\$1,152,579.73					

This report discloses all current investments of the idle funds of the City of Concordia as of the above date, June 30, 1985.

/s/ Randy A. Wetmore
City Manager

/s/ Verna Scott
City Clerk

/s/ Rebecca Leon
City Treasurer

STUDY SESSION

DATE SET

The City Commission set the date of July 24, 1985 at 11:00 o'clock as the next study session.

VISITORS COMMENTS

SHERIFF DEAN CAIRNS

Sheriff Dean Cairns was present at the meeting to express his concerns regarding his calling for the Concordia Fire Department to aid in putting out a fire near the city limits the night of July 4th. Sheriff Cairns cited a statute wherein he has the authority to order the assistance of any public safety agency within the county whenever he deems an emergency exists.


MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 17, 1985 (cont'd)

could not compromise its emergency medical services to put out fires outside the city limits of the City.

Following a lengthy discussion, City Attorney Retter proposed to Mr. Cairns that if a proposal to accept partial responsibility for putting out fires outside the City's jurisdiction was approved, funding this City service would need to be discussed with all the governing bodies involved. City Attorney Retter suggested that if we were to pursue this matter, Mr. Cairns needed to get the County Commission together with the City Commission and discuss all aspects of such a service.

City Manager Wetmore informed the City Commission and Sheriff Cairns that he had written a letter to the Rural Fire Districts asking for their comments about an interlocal agreement between them and the City of Concordia's Fire Department.

There being no further business, motion was made by Commissioner Hattan, seconded by Commissioner Smith and duly carried to adjourn the meeting.


Verna Scott - City Clerk

(Seal)

VS:sb

MINUTES OF THE SPECIAL CALL MEETING HELD JULY 24, 1985.

The City Commission met in special session at 11:00 o'clock a.m. on the 24th day of July, 1985, in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

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

Visitors present: Jim Lowell from The Blade-Empire, Vince Crough, Mark Nordell, Robert Baumann, Jon Froelich, John Shaver and Erick W. Johnson.

Commissioner Hattan 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 CITY COMMISSIONERS:

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

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

Date: July 24, 1985

Time: 11:00 a.m.

The object of said meeting will be as follows:

1. Bid Award for Temporary Notes, Series 1985-C, for refinancing Projects ST-84-1, ST-84-2, WL-84-1 and SS-84-1 (Budreau Sub-Division), in the amount of \$73,000.00.
2. Consideration and passage of proposed Ordinance No. 2418 to issue temporary notes in the amount of \$73,000.00, Series 1985-C, pursuant to K.S.A. 10-123 as amended, to refinance one-year temporary notes due August 1, 1985, Series 1984-A, originally issued to finance Projects ST-48-1, ST-84-2, WL-84-1 and SS-84-1.

Dated this 22nd day of July, 1985.

/s/ Gregory L. Hattan

/s/ William B. Smith

/s/ D.L. Layton

"NOTICE OF SPEICAL CITY COMMISSION MEETING"

CITY OF CONCORDIA, KANSAS

TO: Gregory L. Hattan, William B. Smith and D.L. Layton

You are hereby notified that there will be a special meeting of the Board of Commissioners at 11:00 o'clock a.m. on the 24th day of July, 1985, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

1. Bid Award for Temporary Notes, Series 1985-C, for refinancing Projects ST-84-1, ST-84-2, WL-84-1 and SS-84-1 (Budreau Sub-Division), in the amount of \$73,000.00.
2. Consideration and passage of proposed Ordinance No. 2418 to issue temporary notes in the amount of \$73,000.00, Series 1985-C, pursuant to K.S.A. 10-123 as amended, to refinance one-year temporary notes due August 1, 1985, Series 1984-A, originally issued to finance Projects ST-84-1, ST-48-2, WL-84-1 and SS-84-1.

/s/ Verna Scott
City Clerk

(Seal)

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

You are hereby directed to serve the above notice at once personally upon Commissioners Gregory L. Hattan, William B. Smith and D.L. Layton, or to leave said notice at the usual place of residence of said Commissioners before 9:00 o'clock a.m. on the 24th day of July 1985, and to make a return in writing of said service, showing the manner of such service.

/s/ Verna Scott
City Clerk

"RETURN OF SERVICE"

The undersigned received the Original notice of special city commission meeting, of which the foregoing is a copy, at 9:12 o'clock a.m. on the 23rd day of July, 1985 (Gregory L. Hattan); 11:30 o'clock a.m. on the 23rd day of July, 1985 (William B. Smith); 1:21 o'clock p.m. on the 23rd day of July, 1985 (D.L.Layton), and:

- 1. Served the same personally on Commissioner William B. Smith, Commissioner Gregory L. Hattan and Commissioner D.L. Layton.

/s/ Verna Scott
City Clerk

BID AWARD - TEMPORARY NOTES (BUDREAU ADDITION)

FIRST BANK & TRUST

City Manager Wetmore presented to the Commission a bid received on July 24, 1985 at 10:00 o'clock a.m. for the purchase of temporary notes, Series 1985-C, totaling \$73,000.00 to refinance one-year temporary notes for construction Projects ST-84-1, ST-84-2, WL-84-1 and SS-84-1 in Budreau's Sub-Division in the City of Concordia.

The following bid was received:

<u>BANK</u>	<u>ANNUAL INTEREST COST</u>	<u>INTEREST RATE (%)</u>
First Bank & Trust	\$5,110.00	7%
Cloud County Bank & Trust	No Bid Received	

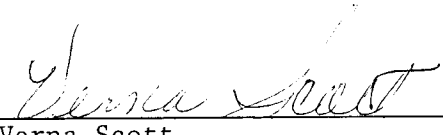
City Manager Wetmore advised that it was his recommendation to accept the bid of First Bank & Trust with an annual interest cost of \$5,110.00. After a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of all the members-elect of the Commission that the bid for Series 1985-C Temporary Notes issue be awarded to First Bank & Trust with an annual interest cost of \$5,110.00

ORDINANCE NO. 2418 (TEMPORARY NOTES - BUDREAU ADDITION)

APPROVED

An ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF RENEWAL TEMPORARY IMPROVEMENT NOTES OF THE CITY OF CONCORDIA, KANSAS, IN THE PRINCIPAL AMOUNT OF \$73,000.00, FOR THE PURPOSE OF RENEWING A PORTION OF THE PRINCIPAL AMOUNT OF THE CITY'S PREVIOUSLY ISSUED TEMPORARY IMPROVEMENT NOTES, SERIES 1984-A; AND PRESCRIBING THE TERMS AND DETAILS OF THE RENEWAL NOTES" was read and considered by the Commission. Following a discussion on the ordinance, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission. 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. 2418.

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


Verna Scott
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 7, 1985.

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

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

Visitors present: Dallas Nading, from The Kansan, Brad Lowell from The Blade-Empire, William B. Buechel, Charles H. Blosser, Isabelle Blosser, Dan Farha, Gene Miller, Delmar F. Harris, Jr., Larry Blochlinger, Dennis Rohr, John Schmitt, Lowell Moon and Roger Demanette.

Minutes of the July 17, 1985 meeting and July 24, 1985 special meeting were approved as written.

PRESENTATION OF APPRECIATION

CHARLES & ISABELL BLOSSER

Charles and Isabell Blosser were present along with their attorney, William B. Buechel. The Blossers presented to the City a check in the amount of \$20,000.00 for land acquisition for the airport project planned for 1985. The Blossers' had attempted to give the land to the City, but the Federal Aviation Agency required that the City purchase the land.

RESOLUTION NO. 772 (RESOLUTION OF INTENT - INDUSTRIAL REVENUE BONDS)

F & A FOOD SALES CO.

City Attorney Retter explained to the City Commission the necessary steps required to authorize expenditures of Industrial Revenue Bonds. Dan Farha, representing the F & A Food Sales Co. has requested the City issue Industrial Revenue Bonds not to exceed \$600,000.00 to finance the construction of a wholesale food distribution center. Mr. Retter explained the Intent Resolution establishes a lid on the issuance, that we can't issue more than the \$600,000.00 and that the resolution is non-binding on the City.

Following a discussion on the matter, City Attorney Retter presented to the City Commission a resolution of Inducement stating the City's intention to issue Industrial Revenue Bonds of the City in an amount not to exceed \$600,000.00 to finance the construction of a wholesale food distribution center to be located on property just south of the south City Limits. After discussion of the resolution, Commissioner Smith moved that Resolution No. 772 be approved. Commissioner Layton seconded the motion. The motion carried unanimously.

KLINK PROJECT (EAST)
(ST-85-K (KLINK EAST))

APPLICATION FOR FUNDING APPROVED

The City Manager explained to the Commission that earlier this year the City Engineer and Director of Streets had checked into funding available to the City for resurfacing of K-9 East. This funding will be available and the City has the option of requesting fifty percent matching funds to resurfacing K-9 east to the city limits. City Engineer Johnson explained to the Commission the cost of resurfacing this Highway will be approximately \$180,300 and the City's share would be approximately \$90,150.00.

Following a brief discussion on the matter, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried unanimously to authorize the City Manager to make application for KLINK Street funding for this project.

RESOLUTION NO. 773 (DESIGNATING CITY CONNECTING LINKS)

APPROVED

The City Manager presented a resolution to the City Commission from the State Department of Transportation which indicates there is a decreased amount of total connecting link of mileages within the City. The decrease in connecting link mileage will result in a decrease in revenue of \$149.00 per year reducing the total amount received from \$15,086 to \$14,937.

Following a discussion on the matter, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried unanimously to approve Resolution No. 773 as submitted by the State Department Transportation reducing the connecting link mileage within the city thus reducing the revenue received from \$15,086 to \$14,937.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 7, 1985, Cont'd.

POLICE DEPARTMENT FUND RAISING - DENNIS ROHRNO ACTION

Dennis Rohr was present at the meeting to inform the Commission that he is considering undertaking some fund raising projects to benefit the reserves by purchasing new training material and other related items which are not presently covered in the General Police Fund Budget.

He explained that last year they had some good results from selling McGruff Crime Prevention calendars and had a country-western band concert. They are planning some of these similar activities and hope to add a few new ones.

Following a discussion on this matter, there was no action taken.

RESOLUTION NO. 774 (PROJECT CG-85-CARLGREN)PASSED

The City Clerk presented to the City Commission the written petition of Stefan Carlgren and one other, representing one hundred percent (100%) of the owners of record of the property involved, proposing the removal of existing curbing and guttering and the reconstruction, grading, curbing, guttering and incidental construction of Lots 43 through 48, both inclusive, in Block 132, in the City of Concordia, Cloud County, Kansas, in the amount of \$2,182.75.

The Commission examined and considered the petition, after which it was moved by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission to approve Resolution No. 774.

ENGINEER'S ESTIMATE OF COST (PROJECT CG-85-CARLGREN)APPROVED

Motion was made by Commissioner Layton, seconded by Commissioner Smith 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 removal of existing curbing and guttering and the reconstruction, grading, curbing, guttering and incidental construction of Lots 43 through 48, both inclusive, in Block 132 in the City of Concordia, Cloud County, Kansas, in the amount of \$2,182.75. The apportionment of cost on this project shall be 62.4% to be assessed against the improvement district and 37.6% to be paid by the City-at-large.

RESOLUTION NO. 775. PROJECT CG-85-DAVIS)PASSED

The City Clerk presented to the City Commission the written petition of John Davis and one other, representing one hundred percent (100%) of the owners of record of the property involved, proposing the removal of existing curbing and guttering and the reconstruction, grading, curbing, guttering and incidental construction along the West 2 feet of Lot 16 and all of Lots 17 through 20, both inclusive, Block 128 in the City of Concordia, Cloud County, Kansas, in the amount of \$2,562.85.

The Commission examined and considered the petition, after which it was moved by Commissioner Smith, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission to approve Resolution No. 775.

ENGINEER'S ESTIMATE OF COST (PROJECT CG-85-DAVIS)APPROVED

Motion was made by Commissioner Smith, seconded by Commissioner Layton 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 removal of existing curbing and guttering and the reconstruction, grading, curbing, guttering and incidental construction along the West 2 feet of Lot 16 and all of Lots 17 through 20, both inclusive, Block 128 in the City of Concordia, Cloud County, Kansas, in the amount of \$2,562.85. The apportionment of cost on this project shall be 75% to be assessed against the improvement district and 25% to be paid by the city-at-large.

RESOLUTION NO. 776 (PROJECT CG-85-HUMES)PASSED

The City Clerk presented to the City Commission the written petition of Betty Humes and no others, representing one hundred percent (100%) of the owners of record of the property involved, proposing the removal of existing curbing and guttering and the reconstruction, grading, curbing, guttering and incidental construction of Lots 10, 11 and 12, Block 68, Original Town, City of Concordia, Cloud County, Kansas, in the amount of \$5,581.62.

The Commission examined and considered the petition, after which it was moved by

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 7, 1985, Cont'd.

ENGINEER'S ESTIMATE OF COST (PROJECT CG-85-HUMES)APPROVED

Motion was made by Commissioner Layton, seconded by Commissioner Smith 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 removal of existing curbing and guttering and the reconstruction, grading, curbing, guttering and incidental construction of Lots 10, 11 and 12, Block 68, Original Town, City of Concordia, Cloud County, Kansas, in the amount of \$5,581.62. The apportionment of cost on this project shall be 75% to be assessed against the improvement district and 25% to be paid by the city-at-large.

RESOLUTION NO. 777 (PROJECT CG-85-NICKEL)PASSED

The City Clerk presented to the City Commission the written petition of Noel Nickel and one other, representing one hundred percent (100%) of the owners of record of the property involved, proposing the removal of existing curbing and guttering and the reconstruction, grading, curbing, guttering and incidental construction of the north one-half of Lots 9 and 10, Block 29, in the City of Concordia, Cloud County, Kansas, in the amount of \$1,374.04.

The Commission examined and considered the petition, after which it was moved by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission to approve Resolution No. 777.


ENGINEER'S ESTIMATE OF COST (PROJECT CG-85-NICKEL)APPROVED

Motion was made by Commissioner Layton, seconded by Commissioner Smith 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 removal of existing curbing and guttering and the reconstruction, grading, curbing, guttering and incidental construction of the north one-half of Lots 9 and 10, Block 29, in the City of Concordia, Cloud County, Kansas, in the amount of \$1,374.04. The apportionment of cost on this project shall be 75% to be assessed against the improvement district and 25% to be paid by the city-at-large.

VISITORS COMMENTS

There were several visitors in the Commission Room and Mayor Hattan asked if anyone had any comments. Roger Demanette, John Schmitt and Lowell Moon were present representing the Concordia Jaycees and asking for a beer license and a beer garden license. The Mayor reminded the group they needed to apply in the City Clerk's office for the respective licenses.

There being no further business, motion was made by Commissioner Smith, seconded by Commissioner Layton and duly carried to adjourn the meeting until 11:00 o'clock a.m. on August 14, 1985 to hold the annual hearing to consider the 1986 City Budget.



 Verna Scott, City Clerk

S:lf

Seal)

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD AUGUST 14, 1985

The City Commission met in adjourned session at 11:00 o'clock a.m. on August 14, 1985, in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Hattan present. Absent: None.

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

Visitors present: Dallas Nading from The Kansan, Brad Lowell from The Blade-Empire, Warren Ostrom, Ima Jean Chavey, Dorothy Ostrom, Rachel Cottam, Armand Racette, Ruth A. Racette, Beatrice J. Lewis, Sam Budreau, Steven B. Horkman, Terry P. Flinn, Gerald J. Brown, Wade Moss, LeRoy Regnier, Sylveo H. Tremblay, Burl Maley, Don Musick, Les Baker, Dennis R. Rohr, Martin Molter, Dutch Shunn, Lee W. Doyen, Vane Schierbaum, Juanita Hale, Ross Hatfield, Jack Gould, Wayne Breault, Don Demanette, Clarence Fleming, Ray Hansen, Lowell Thoman, Terry Tracy, Jerry Ruud, Andrew Johnston, Peggy Doyen, Helen Erhardt, Jim Helton, Karen Dunlap, Michael E. Peterson, Fred DeArmond, Peggy Smith, Arlene Brumfield, Marilyn Johnston, Phil Smith, Vernon D. Martin, Bill DeArmond, Dennis Yoxall and Mary Jo Stortz.

PUBLIC HEARING - 1986 CITY BUDGETHELD

The City Manager presented to the City Commission the Budget Message for the 1986 Budget of the City. The Budget Message, as contained in the proposed operating budget document, is available at the City Hall for review. After a short discussion motion was made by Commissioner Layton, seconded by Commissioner Smith and unanimously carried to adopt the 1986 City of Concordia Budget in its entirety.

PUBLIC HEARING - 1986 FEDERAL REVENUE SHARING BUDGETHELD

The City Manager presented to the City Commission the 1986 Federal Revenue Sharing Budget. After a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried unanimously to approve the proposed uses for Revenue Sharing Funds as proposed in the 1986 Budget.

ORDINANCE NO. 2419 (1986 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, 1986" was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Hattan, Smith and Layton. "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. 2419.

RESOLUTION NO. 778 (REVISION OF 1985 PAY GRADES FOR CLASSIFIED EMPLOYEES)APPROVED

The City Manager presented to the City Commission a resolution revising the 1985 established schedule of pay grades for classified employees of the City of Concordia. After a brief discussion, motion was made by Commissioner Smith, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 778 revising the 1985 established schedule of pay grades for classified employees of the City of Concordia be approved.

RESOLUTION NO. 779 (1986 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 for 1986. After a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 779 establishing 1986 pay grades for classified employees of the City of Concordia be approved.

RESOLUTION NO. 780 (1986 PAY GRADES FOR NON-CLASSIFIED EMPLOYEES OF THE CITY OF CONCORDIA)APPROVED

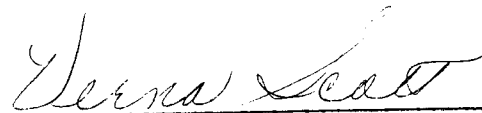
The City Manager presented to the City Commission a resolution establishing a schedule of pay grades for non-classified employees of the City of Concordia for the year 1986. After a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 780 establishing pay grades for non-classified employees of the City of Concordia for the year 1986 be approved.

ZIEGENBALG PETITIONSUBMITTED

Dorothy Ostrom, spokesperson for a group of concerned citizens, submitted a petition containing 967 signatures in support of retaining Gene Ziegenbalg as an officer. There followed a lengthy discussion between the visitors and Mayor Hattan on the reasons for the demotion. Mayor Hattan informed everyone that Mr. Ziegenbalg had a severe health problem and could no longer perform the duties his job required. He also informed them that Chief Dennis Rohr had contacted Mr. Ziegenbalg's physician to determine the seriousness of his disability and had offered a job to Mr. Ziegenbalg at lesser pay.

Following a lengthy discussion on the matter by several of those persons present, Dorothy Ostrom asked the Commission to give the matter their utmost consideration and asked that a decision be made within the next week.

Following this discussion, motion was made by Commissioner Layton, seconded by Commissioner Hattan that the Commission adjourn.



Verna Scott, City Clerk

(Seal)

VS:sb

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 21, 1985.

The City Commission met in regular session at 4:00 o'clock p.m. on August 21, 1985, in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

Other Officers present: City Manager Wetmore and City Clerk Scott.

Visitors present: Dallas Nading from The Kansan, Brad Lowell from The Blade-Empire, Jon Froelich, Sam Budreau, Mrs. Jim Workman, Sharon Jensen, Jamie Strait, Mae LeDuc, Raymond Willis, Juanita Hale, Mary Anderson, John A. Eakins, Vince Crough, Harvey Comeau, Howard G. Vincent, Boyd Dochow, Carolyn Cyr, Nan Sterrett, Bob Johnson, Pat Johnson, Carol Sue Miller, Dee Capleton, William Partridge, John Schmitt, Gail Engle, Nathan Sherwood, Keith M. Sherwood, Keith Long, Betsy Baumann, Robert Baumann, Larry Hartshorn, Diane Bieker, Larry Blochlinger, Jack Gould, Raymond Mendenhall, Kenneth Hauschel, Ima Jean Chavey, Wendell Wilson, Sandy Cote and Susan Kendall.

Minutes of the August 7 and August 14, 1985 meetings were approved as written.

APPROPRIATION ORDINANCE NO. 15

APPROVED

Appropriation Ordinance No. 15 was approved to law.

SPECIAL SERVICES OFFICER

GENE ZIEGENBALG

Mayor Hattan addressed those persons attending the meeting with a statement that Officer Gene Ziegenbalg had been assigned a new position entitled "Special Services Officer." This new position will eliminate much of the stress which is inherent in the position of Sergeant or Lieutenant. Mayor Hattan also informed those present that a physician's report had been received regarding Mr. Ziegenbalg's health and this report states that Gene Ziegenbalg should not be performing Patrolling duties and should be in a position where less stress is involved in the normal course of work.

Jack Gould asked if another officer would be hired to fill Ziegenbalg's position. Mayor Hattan explained that the duties Mr. Ziegenbalg would be performing were on-going duties and programs the city was currently doing, and that other officers would take over the patrolman duties.

Mayor Hattan then requested any comments from the floor. He then stated that the Officer Ziegenbalg situation was an administrative problem, but that the information being presented today was due to public interest in the situation.

INTERLOCAL AGREEMENT (BUFFALO TOWNSHIP AMBULANCE SERVICE)

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 Buffalo Township. This document was sent to the Buffalo Township Board for their review, and they returned it to the City with the request to execute 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 nine hundred dollars (\$900.00). This agreement will take effect upon execution by the governing body of the City of Concordia and the Buffalo Township Board. The original term of this agreement shall begin at the beginning of the next calendar year, 1986. This agreement shall then be renewable on a year to year basis for an additional term of one year. After a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith 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 Buffalo Township Board of Cloud County, Kansas for the provision of ambulance service to the Township by the City.

LICENSE APPLICATION FOR RETAIL SALE OF CEREAL MALT BEVERAGE

CONCORDIA JAYCEES

The City Clerk presented to the City Commission an application from the Concordia Jaycees for a cereal malt beverage license. This license application has been examined and has met all legal requirements. Following a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission to approve the license application from the Concordia Jaycees for a cereal malt beverage license.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 21, 1985, cont'd.

LICENSE APPLICATION - BEER GARDEN

CONCORDIA JAYCEES

The City Clerk presented to the City Commission an application from the Concordia Jaycees to operate a beer garden adjacent to the intersection of 6th & Washington Streets as a part of the Concordia Fall Fest activities scheduled for September 28, 1985.

Following a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission to approve the beer garden license application of the Concordia Jaycees.

LICENSE APPLICATION FOR RETAIL SALE OF CEREAL MALT BEVERAGE

BUCK 'N HAM PALACE

The City Clerk presented to the City Commission an application from Denise L. Yoxall d/b/a The Buck 'n Ham Palace for a cereal malt beverage license for consumption on the premises. This license application has been examined and has met all legal requirements. Following a brief discussion, motion was made by Commissioner Smith, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission to approve the license application from Denise L. Yoxall d/b/a the Buck 'n Ham Palace for a cereal malt beverage license.

SELECTION OF VOTING DELEGATES TO KANSAS LEAGUE OF MUNICIPALITIES ANNUAL MEETING

APPROVED

The City Manager stated that the City was required to select its voting delegates to the League of Kansas Municipalities meeting to be held September 29 and 30th, and October 1, 1985, in Topeka. He explained that in the past the delegates had been the Mayor and one other commissioner and the alternates were the remaining commissioner and city manager. Motion was made by Commissioner Smith, seconded by Commissioner Hattan and duly carried by unanimous vote that Commissioners Hattan and Layton be selected as voting delegates to the League of Kansas Municipalities meeting; and that Commissioner Smith and City Manager Wetmore be selected as alternate voting delegates for the same meeting.

RESOLUTION NO. 781 (NUISANCE ABATEMENT)

EVERETT MENDENHALL

City Manager Wetmore stated that at this time, a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Concordia, to consider whether a nuisance exists at the following location:

1. 105 Strain Avenue

City Clerk Scott advised the Commission that Mr. Howard Vincent had checked the property prior to the meeting and had found the nuisance had been partially abated. The nuisance consists of rotting lumber and odor from livestock. Mrs. Scott advised that Mr. Raymond Mendenhall had visited her office requesting an additional 10 days to clean up the livestock area.

Following these comments, Mr. Wetmore presented to the Commission a resolution determining the existence of the nuisance and requiring removal or abatement. The Commission examined and considered the resolution, after which it was moved by Commissioner Smith, seconded by Commissioner Layton and duly carried unanimously that Resolution No. 781 be adopted and Mr. Mendenhall allowed an additional 10 days to remove or abate such nuisance.

RESOLUTION NO. 782 (NUISANCE ABATEMENT)

JAMES MENDENHALL

City Manager Wetmore stated that at this time, a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Concordia, to consider whether a nuisance exists at the following location:

1. 109 Strain Avenue

City Clerk Scott advised the Commission that Mr. Howard Vincent had checked the property prior to the meeting and had found the abandoned station wagon which prompted the original nuisance had not been moved.

Following these comments, Mr. Wetmore presented to the Commission a resolution determining the existence of the nuisance and requiring removal or abatement. The Commission examined and considered the resolution, after which it was moved by Commissioner Layton, seconded by Commissioner Smith and duly carried unanimously that Resolution No. 782 be adopted and Mr. Mendenhall allowed an additional 10 days to remove or abate such nuisance.

RESOLUTION NO. 783 (NUISANCE ABATEMENT)

EAKINS PROPERTY

City Manager Wetmore stated that at this time, a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Concordia, to consider whether a nuisance exists at the following location:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 21, 1985, cont'd.

City Clerk Scott advised the Commission that Mr. Howard Vincent had checked the property prior to the meeting and advised that the structure was almost torn down. Mr. John Eakins was present at the meeting to advise the Commission that every effort was being made to remove the building, but asked additional time to accomplish the demolition.

Following these comments, Mr. Wetmore presented to the Commission a resolution determining the existence of the nuisance and requiring removal or abatement. The Commission examined and considered the resolution, after which it was moved by Commissioner Layton, seconded by Commissioner Smith and duly carried unanimously that Resolution No. 783 be adopted and Mr. Eakins be allowed an additional 30 days to remove or abate such nuisance.

RESOLUTION NO. 784 (NUISANCE ABATEMENT)EAKINS PROPERTY

City Manager Wetmore stated that at this time, a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Concordia, to consider whether a nuisance exists at the following location:

1. 127 Strain.

City Clerk Scott advised the Commission that Mr. Howard Vincent had checked the property prior to the meeting and advised that the $\frac{1}{2}$ Ton Chevrolet pickup which prompted the original abatement notice had not been moved.

Following these comments, Mr. Wetmore presented to the Commission a resolution determining the existence of the nuisance and requiring removal or abatement. The Commission examined and considered the resolution, after which it was moved by Commissioner Layton, seconded by Commissioner Smith and duly carried unanimously that Resolution No. 784 be adopted and Mr. Eakins be allowed an additional 10 days to remove or abate such nuisance.

RESOLUTION NO. 785 (NUISANCE ABATEMENT)EAKINS PROPERTY

City Manager Wetmore stated that at this time, a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Concordia, to consider whether a nuisance exists at the following location:

1. 127 Strain.

City Clerk Scott advised the Commission that Mr. Howard Vincent had checked the property prior to the meeting and advised that the structure was almost torn down. Mr. John Eakins was present at the meeting to advise the Commission that every effort was being made to remove the building, but asked additional time to accomplish the demolition.

Following these comments, Mr. Wetmore presented to the Commission a resolution determining the existence of the nuisance and requiring removal or abatement. The Commission examined and considered the resolution, after which it was moved by Commissioner Smith, seconded by Commissioner Layton and duly carried unanimously that Resolution No. 785 be adopted and Mr. Eakins allowed an additional 30 days to remove or abate such nuisance.

RESOLUTION NO. 786 (NUISANCE ABATEMENT)EAKINS PROPERTY

City Manager Wetmore stated that at this time, a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Concordia, to consider whether a nuisance exists at the following location:

1. 127 Strain.

City Clerk Scott advised the Commission that Mr. Howard Vincent had checked the property prior to the meeting and advised that the 1 $\frac{1}{2}$ -Ton Flatbed truck which prompted the original abatement notice had not been moved.

Following these comments, Mr. Wetmore presented to the Commission a resolution determining the existence of the nuisance and requiring removal or abatement. The Commission examined and considered the resolution, after which it was moved by Commissioner Layton, seconded by Commissioner Smith and duly carried unanimously that Resolution No. 786 be adopted and Mr. Eakins be allowed an additional 10 days to remove or abate such nuisance.

BASEBALL FIELDSDISCUSSION

A large delegation was present at the meeting in support of planned improvements for several

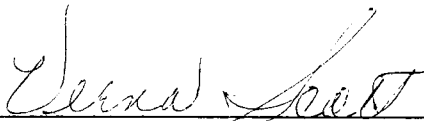
MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 21, 1985, cont'd.

figure had been reduced from \$160,000 to \$113,000, without labor, but that needed to be reduced to less than \$100,000 before the project could be considered seriously.

Bob Baumann and Sharon Jensen both expressed their support of the project and advised the Commission that an estimated 1,000 children and adults participate in the baseball programs offered annually.

Following a lengthy discussion on the project, Mayor Hattan advised those present that a meeting had been scheduled for 7:00 p.m. the evening of August 21, 1985 to work on plans for the baseball fields project and to see if volunteer work could be secured.

There being no further business, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried to adjourn the meeting until 11:00 o'clock a.m. on August 28, 1985.



Verna Scott, City Clerk

(Seal)

VS:lf

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD AUGUST 28, 1985

The City Commission met in adjourned session at 11:00 o'clock a.m. on August 28, 1985 in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

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

Visitors present: Dallas Nading from The Kansan, Brad Lowell from The Blade-Empire, Jim Lowell, Jon Froelich, Vince Crough, Janice Strait, Don Demanette, V.O. "Dutch" Braun, Larry Blochlinger, Sharon Jensen, Lorene Phipps, Gail Engle, and Kisty Stephens.

FAIRGROUNDS PARK BALLFIELDS REALIGNMENT PRESENTATIONMAYOR HATTAN

Mayor Hattan addressed those present at the meeting with the current inadequacies and needs for redesigning the Fairgrounds Park Ballfields. The needs to be addressed are listed below:

- 1) There are an inadequate number of fields.
- 2) Poor lighting (Center field had a candle power of 1)
- 3) Poor fencing - present 4' fences creating hazardous playing conditions. Proposed fencing would have one area with 12' fence, 8' fence on home run fields.
- 4) Drainage problems - Dirt will be hauled in and drainage inlets installed.
- 5) Traffic problems - New traffic patterns established. 275 to 300 parking stalls provided with new fields.
- 6) Poor alignment of fields - New PeeWee fields will be back to back.
- 7) Problem with current size of playing fields. The City currently has no regulation sized playing fields. With the construction of the new fields, we can have tournaments.

Mayor Hattan explained that City Manager Wetmore had contacted Mr. Cork Widen of Centel and they had worked out a lighting arrangement that was reduced to \$63,000.00.

Mayor Hattan also advised those present that many people had volunteered their services in order to get the Fairgrounds Park Ballfields constructed thereby lowering the cost of the project. Mr. Hattan stated that those persons interested in helping should be at the Fairgrounds Ball Park next Tuesday at 6:00 o'clock p.m.

ENGINEER'S ESTIMATE OF COST: PROJECT FGBP-85-1APPROVED

Following a lengthy discussion on the Fairgrounds Ballfields Park construction, motion was made by Commissioner Smith, seconded by Commissioner Layton and duly carried by the unanimous vote of the entire members-elect of the Commission to accept the Engineer's Estimate of Cost for the Fairgrounds Park Ballfields Project No. FGBP-85-1 in the amount of \$187,000.00. The city-at-large cost will be \$187,000.00 or 100% of the project.

BID AWARD (FIVE CURB AND GUTTER PROJECTS)BG CONSTRUCTION

The City Manager presented to the Commission the bids received on August 27, 1985, for the curbing and guttering on five separate projects located within the City of Concordia. The engineer's estimate of cost on these projects is \$18,746.75

The following bids were received:

<u>NAME OF CONTRACTOR</u>	<u>PROJECT NO</u>	<u>AMOUNT OF BID</u>
BG Construction	CG-85-106	\$ 7,432.24
	CG-85-Carlgren	1,929.64
	CG-85-Davis	1,970.08
	CG-85-Nickel	1,051.38
	CG-85-Humes	4,307.72
TOTAL BG CONSTRUCTION		<u>\$16,691.06</u>
Hall Brothers Construction	CG-85-106	8,767.25
	CG-85-Carlgren	2,291.65

After a short discussion, motion was made by Commissioner Layton, seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the Commission to accept the apparent low bid of BG Construction in the amount of \$16,691.06 for all five projects.

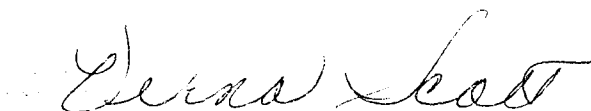
CABLECOM OF CONCORDIA

FRANCHISE CHECK PRESENTED

Gail Engle, the manager of the Cablecom-General Co. was present at the meeting to present their first semi-annual report for 1985 and advised the City Commission that a check in the amount of \$11,414.10 representing their franchise tax for this same period had been sent to the City Clerk's office. This amount reflects an increase from 3% to 5% in franchise tax fees.

Mayor Hattan accepted the report and ordered it placed on file.

There being no further business, motion was made by Commissioner Hattan, seconded by Commissioner Smith and duly carried to adjourn the meeting.



Verna Scott, City Clerk

(Seal)

VS:sb

MINUTES OF REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 4, 1985.

The City Commission met in regular session at 4:00 o'clock p.m. on September 4, 1985 in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

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

Visitors present: Brad Lowell from The Blade-Empire, Philip Schlup, Gene Miller, Howard Vincent and Dennis Rohr.

1985 ECONOMIC DEVELOPMENT GRANT APPLICATION
RESOLUTION NO. 787

PUBLIC HEARING

The City Manager announced that this time had been scheduled for a public hearing, the second hearing, on the application for 1985 Economic Development Grant Funds. He advised the Commission that Gene Miller was present at the meeting to explain the proposed project that will be considered for funding.

Mr. Miller explained that he had been working with Dan Farha of F & A Food Sales Co. to expand his business here in Concordia. The amount of \$400,000.00 to be amortized over a twenty year period at an interest rate of two percent (2%).

Following a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried by unanimous vote of the entire members-elect of the Commission that Resolution No. 787 be approved and the City of Concordia was authorized to make application to the Kansas Department of Economic Development for an economic development grant in the amount of \$400,000.00.

RESOLUTION NO. 788 (PROJECT FGBP-85-1)

PASSED

The City Attorney presented to the City Commission a resolution to determine the advisability of a proposed municipal improvement which will confer a special benefit upon the property within the area of the City improvement district described as follows:

Construction and reconstruction of certain park and baseball field improvements, including grading, surfacing, drainage, fencing and incidental construction

within the City of Concordia, Kansas, with the estimated and probable cost of the improvement to be \$187,000.00.

The Commission examined and considered the resolution, after which it was moved by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission to approve Resolution No. 788 authorizing the improvements of the Fairgrounds Ball Park project in the amount of \$187,000.00 with the city-at-large to pay 100% of the project costs.

ORDINANCE NO. 2420 (AMBULANCE MILEAGE FEE INCREASED)

APPROVED

An ordinance entitled "AN ORDINANCE RELATING TO AMBULANCE MILEAGE CHARGES IMPOSED BY THE CITY OF CONCORDIA, KANSAS, AND AMENDING CONCORDIA CODE SECTION 2-8(c), AND REPEALING EXISTING SECTION 2-8(c)" was read and considered by the Commission. Following a discussion on the ordinance, motion was made by Commissioner Smith, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission. 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. 2420.

RESOLUTION NO. 789 (NUISANCE ABATEMENT)

DENNIS HASTINGS

City Manager Wetmore stated that at this time, a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Concordia, to consider whether a nuisance exists at the following location;

1. 116 East 12th.

City Clerk Scott advised that she had a letter from Mr. Dennis Hastings asking for an additional 15 days in which to remove the abandoned car located at 116 E. 12th.

Following these comments, Mr. Wetmore presented to the Commission a resolution determining the existence of the nuisance and requiring removal or abatement. The Commission examined

MINUTES OF REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 4, 1985, cont'd.


and considered the resolution, after which it was removed by Commissioner Hattan, seconded by Commissioner Smith and duly carried unanimously that Resolution No. 789 be adopted and Mr. Hastings allowed an additional 15 days to remove or abate such nuisance.

STUDY SESSION

DATE SET

The commission set the date of September 11, 1985 at 11:00 o'clock a.m. as the next study session.

There being no further business, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried to adjourn the meeting.


Verna Scott, City Clerk

(Seal)

VS:lf

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 18, 1985.

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

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

Visitors present: Dallas Nading from The Kansan, Brad Lowell from The Blade-Empire, Martin Molter, Ross VanderHamm, James Mosher, Tom Fisher, Larry Blochlinger and Robert Steimel.

Minutes of the September 4, 1985 meeting were approved as written.

APPROPRIATION ORDINANCE NO. 17APPROVED

Appropriation Ordinance No. 17 was approved according to law.

RESOLUTION NO. 790 (PUBLIC HEARING-FGBP-85-1)HELD

The Mayor announced that at this time a public hearing was being held to consider the advisability of the Fairgrounds Ball Park Improvements. There was no one present to object to the project.

Following a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by unanimous vote of the entire members-elect of the Commission that Resolution No. 790 be approved and that the Fairgrounds Ball Park improvement project be approved.

BID AWARD-TEMPORARY NOTES (FGBP-85-1)FIRST BANK & TRUST

City Manager Wetmore presented to the Commission a bid received on September 16, 1985 for the purchase of temporary notes, Series 1985-D, totaling \$187,000.00 to finance the construction and re-construction of certain park and baseball field improvements, in the City of Concordia.

The following bid was received:

<u>BANK</u>	<u>NOTE AMOUNT</u>	<u>ANNUAL INTEREST COST</u>	<u>INTEREST RATE (%)</u>
First Bank & Trust Note #1	50,000.00	3,750.00	7.50
	50,000.00	4,000.00	8.00
	50,000.00	4,000.00	8.00
	37,000.00	2,960.00	8.00
TOTAL ANNUAL INTEREST COST		\$14,710.00	

Cloud County Bank & Trust NO BID RECEIVED

City Manager Wetmore advised that it was his recommendation to accept the bid of First Bank & Trust with an annual interest cost of \$14,710.00. After a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Hattan and duly carried by the affirmative vote of all the members-elect of the Commission that the bid for Series 1985-D Temporary Notes issue to be awarded to First Bank & Trust with an annual interest cost of \$14,710.00.

ORDINANCE NO. 2421 (AUTHORIZING TEMPORARY NOTES-FGBP-85-1)APPROVED

An ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$187,000.00 OF THE TEMPORARY NOTES FOR THE CITY OF CONCORDIA, KANSAS, TO PROVIDE FUNDS TO PAY THE COST OF CONSTRUCTION AND RECONSTRUCTION OF CERTAIN PARK AND BASEBALL FIELD IMPROVEMENTS, INCLUDING GRADING, SURFACING, DRAINAGE, FENCING AND INCIDENTAL CONSTRUCTION IN THE CITY OF CONCORDIA, KANSAS (HEREIN-AFTER THE "IMPROVEMENT"). THE COST OF WHICH WILL ULTIMATELY BE PAID BY THE ISSUANCE OF BONDS OF SAID CITY" was read and considered by the Commission. Following a discussion on the ordinance, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the commission. With the entire members-elect of the Commission having voted in favor thereof, the ordinance was

PRESENTATION OF 1984 AUDIT (KENNEDY & COE) APPROVED

The City Manager had presented the 1984 Audit to the Commission the week before the meeting as prepared by Kennedy and Coe and commented there were no major adverse violations to be reported. He asked that the City Commission accept the 1984 Audit as presented. Following a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission to accept the 1984 audit as presented and ordered placed on file.

AUDIT PROPOSAL FOR 1985, 1986 and 1987 APPROVED

The City Manager presented to the Commission an audit proposal he had requested from Kennedy & Coe for a 3-year contract for the years 1985, 1986 and 1987. Robert Steimel, representing Kennedy & Coe has submitted the three year contract for a fee of \$10,500 for the first year with adjustments for the two following years not to exceed ten percent increase each year. Following a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission to approve the contract with Kennedy & Coe for years 1985 through 1987 as recommended.

EMERGENCY PREPAREDNESS PLAN CIVIL DEFENSE

Derald Deal representing the Cloud County Civil Defense along with the Kansas Division of Emergency Preparedness submitted a plan to provide a coordinated plan for fire services during a natural or man-made disaster. Following a brief discussion, motion was made by Commissioner Smith, seconded by Commissioner Layton and duly carried unanimously to authorize the Mayor to sign the plan.

INTERLOCAL AGREEMENT - ST. JOSEPH HOSPITAL ISSUANCE OF BONDS

City Attorney Retter explained that the City had been contacted by Sister Beth Stover, the administrator of St. Joseph Hospital asking that the City enter into an interlocal agreement with the City of Wichita in the anticipation of the issuance of bonds by the City of Wichita to be used by St. Joseph Hospital. City Manager Wetmore assured the Commission that there is no liability to the City of Concordia with the authorization of this agreement.

Following a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried unanimously authorizing the Mayor and City Clerk to sign the interlocal agreement.

BIDS SUBMITTED - 1986 POLICE VEHICLE NO ACTION

City Manager Wetmore submitted bids from Kling Motor Co. and Babe Houser Motor Co. for a 1986 police vehicle. Both bids were in excess of the amount budgeted and Kling Motor Company had bid a smaller engine than the specifications required. Following a brief discussion, there was no action taken on the bids submitted.

BID AWARD - 1986 WATER/SEWER UTILITY TRUCK BABE/HOUSER MOTORS

The City Manager presented to the Commission bids received on September 10, 1985 for a 1986 utility pickup for the water/sewer department. The following bids were received:

<u>Vehicle Description</u>	<u>Babe Houser Motors</u>	<u>Kling Motors</u>
1986 Utility Pickup	Chevrolet S10	Ford Ranger 114
	\$8,950.00	\$9,948.00
Less Trade-in 1978 Chev. Luv	<u>2,350.00</u>	<u>1,200.00</u>
Net Bid	\$6,600.00	\$8,748.00

After reviewing the bids received, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried unanimously to accept the apparent low bid of Babe Houser Motors for the 1986 Utility pickup for the Water/Sewer Department.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 18, 1985, cont'd.

APPOINTMENTS TO PLANNING COMMISSION

RACHELLE HOWER, BILL KLINE
RICHARD EBY

The City Manager presented to the Commission recommendations for appointments to the Planning Commission. All persons recommended have been contacted and have agreed to serve. The appointments are as follows:

Rachelle Hower to November 1985
 Bill Kline to November 1986
 Richard Eby to November 1986

Following a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried unanimously to approve the appointments as listed above to the Planning Commission.

APPOINTMENTS TO THE BOARD OF ZONING APPEALS

JILL CASADO

The City Manager presented to the commission a recommendation to appoint Jill Casado to the Board of Zoning Appeals to fill a vacancy that has existed for some time. This appointment will run through January of 1986. Following a brief discussion, motion was made by Commissioner Smith, seconded by Commissioner Hattan and duly carried unanimously to approve the appointment of Jill Casado to the Board of Zoning Appeals.

APPOINTMENTS TO RECREATION COMMISSION

BECKY BRADLEY, DON SCHMIDT
& VINCE CROUGH

The City Manager presented to the Commission recommendations to appoint three members to the Recreation Commission. All persons recommended have been contacted and agreed to serve. The appointments are as follows:

Becky Bradley to January 1988
 Don Schmidt to January 1986
 Vince Crough to January 1987

Following a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried unanimously to approve the appointments as listed above to the Recreation Commission.

RESOLUTION NO. 791 (WAIVER OF GAAP PROCEDURE)

APPROVED

The City Manager explained to the Commission that Kennedy & Coe, in 1983, requested a waiver of the requirements of law relating to the Generally Accepted Accounting Principles (GAAP). This waiver must be approved annually by Resolution as required by K.S.A. 1982 Supp. 75-1120a(c) (1982 S.B.531). This resolution eliminates unnecessary financial statements and reports from the City's annual audit.

Following a discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 791 authorizing the extension on the waiver of requirements of law relating to GAAP be approved.

NEW DIRECTOR OF UTILITIES INTRODUCED

JAMES MOSHER

City Manager Wetmore advised the Commission that a new Director of Utilities had been hired and introduced James Mosher to those present.

NEW ADMINISTRATIVE ASSISTANT INTRODUCED

ROSS VANDER HAMM

City Manager Wetmore advised the Commission that he had hired an Administrative Assistant to begin his duties on October 2, 1985 and introduced Ross Vander Hamm to those present.

STUDY SESSION

DATE SET

The Commission set the date of September 24, 1985 at 11:00 o'clock a.m. as the next City Commission Date.

There being no further business, motion was made by Commissioner Hattan,

MINUTES OF THE OCTOBER 2, 1985 REGULAR CITY COMMISSION MEETING

The City Commission met in regular session at 4:00 o'clock p.m. on October 2, 1985 in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

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

Visitors present: Jay Lowell from The Blade-Empire, Dan Jensen, Sharon Jensen, Karen Dunlap, Gene Miller, Ross Vander Hamm, William Partridge, Tom Fisher, Phil Schlup, Willie Higgins, James Mosher, Phil Deneault, Don Hays, Dennis Rohr and Dean Williams.

Minutes of the September 18, 1985 meeting were approved as written.

APPROPRIATION ORDINANCE NO. 18-18AAPPROVED

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

PROCLAMATIONALCOHOL AWARENESS MONTH

Don Hays, Karen Dunlap and Dennis Rohr were present to ask the Mayor to proclaim the month of October as Alcohol Awareness Month. The Mayor signed the proclamation.

INTERLOCAL AGREEMENT (CENTER TOWNSHIP AMBULANCE SERVICE)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 Center Township. This document was sent to the Center Township Board for their review, and they returned it to the City with the request to execute 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 nine hundred and fifty-five dollars (\$955.00). This agreement will take effect upon execution by the governing body of the City of Concordia and the Center Township Board. The Original term of this agreement shall begin at the beginning of the next calendar year, 1986. This agreement shall then be renewable on a year to year basis for an additional term of one year. After a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith 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 Center Township Board of Cloud County, Kansas for the provision of ambulance service to the Township by the City.

RESOLUTION NO. 792 (VEHICLE POLICY)APPROVED

City Manager Wetmore presented to the City Commission a resolution establishing a policy for the use of vehicles owned or leased by the City by municipal employees and further that upon authorization for a municipal employee to use a city owned or leased vehicle, that vehicle shall not be used on personal business and that the vehicle shall remain on City of Concordia premises when not in service for the City of Concordia. After a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 792 establishing a policy for city owned vehicles be approved.

RESIGNATION ACCEPTEDTED SAMUELSON-RECREATION COMMISSION

City Manager Wetmore advised the Commission that he had received the resignation of Ted Samuelson, former chairman on the Recreation Commission. Following a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Smith and duly carried to accept the resignation of Ted Samuelson.

RESOLUTIONS OF APPRECIATIONMAE LEDUC, MARGARET LETOURNEAU,
DENNIS ROHR & TED SAMUELSON

Resolutions of Appreciation were given to Mae LeDuc, Margaret Letourneau, Dennis Rohr and Ted Samuelson for their many years of service on the Recreation Commission.

APPOINTMENT TO RECREATION COMMISSIONNAN STERRETT

The City Manager presented to the Commission a recommendation to appoint Nan Sterrett to the Recreation Commission to fill the unexpired term of Ted Samuelson. Ms. Sterrett's term on the Recreation Commission will expire in January of 1986. Following a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried to appoint Nan Sterrett to the Recreation Commission until January, 1986.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 2, 1985, cont'd.

SERVICE AWARDS TO EMPLOYEES

PRESENTED

Mayor Hattan presented ten-year service award pins to the following employees for ten years of continuous service to the City of Concordia:

Don Barnhart, Firefighter,
Phil Deneault, Utility Cashier,
Willis Higgins, Firefighter, and
Dennis Rohr, Chief of Police.

GRANT AWARD - ECONOMIC DEVELOPMENT (\$400,000.00)

ANNOUNCED

The City Manager announced to the Commission that he had received confirmation that the City had been awarded a Community Development Block Grant for Economic Development in the amount of \$400,000.00. This grant is to be used to assist F & A Food Sales, Inc., a grocery wholesale distributor, in expanding his business here in Concordia. The grant money shall be loaned to F & A at a rate of 2% interest and shall be repayable to the City in 20 years and as the monies are received from F & A by the City, the money can help other businesses in the community. City Manager Wetmore reminded the Commission that Mike Peterson, former Administrative Assistant and Gene Miller, Economic Development Director, wrote the grant application together and evidently did an exceptional job as Concordia ranked 3rd out of 26 applications.

RESOLUTION NO. 793 (NUISANCE ABATEMENT)

DONALD SAUNDERS

City Manager Wetmore stated that at this time, a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Concordia, to consider whether a nuisance exists at the following location:

1. 134 East 1st

City Clerk Scott advised the Commission that Mr. Gene Ziegenbalg had checked the property prior to the meeting and advised that the nuisance had been about 75% abated.

Following these comments, Mr. Wetmore presented to the Commission a resolution determining the existence of the nuisance and requiring removal or abatement. The Commission examined and considered the resolution, after which it was moved by Commissioner Layton, seconded by Commissioner Smith, and duly carried unanimously that Resolution No. 793 be adopted and Mr. Saunders allowed an additional 10 days to remove or abate such nuisance.

LICENSE APPLICATIONS - CLASS A AND CLASS B

JACQUELINE A. NOBERT/MY PLACE OR YOURS?

City Manager Wetmore presented to the City Commission two beer license applications, a) Class A Beer License for package beer, and b) Class B Beer License for consumption on the premises. Both applications are from Jacqueline A. Nobert d/b/a My Place or Yours? located at 115 E. 6th Street. The license application has been examined by the City Attorney and has met all legal requirements. Following a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried by the affirmative vote of all the members of the Commission to approve the license applications for Jacqueline A. Nobert d/b/a My Place or Yours?.

EASEMENT FOR AIRPORT PROJECT (DEAN WILLIAMS)

TABLED

City Manager Wetmore explained to the Commission that the airport improvement project presently under construction has one grant requirement remaining to be satisfied.

This requirement is an aviation easement on 2.08 acres of the Dean Williams property. Appraisers have suggested \$500.00 as a fair payment for this aviation easement, but Mr. Williams feels he is entitled to more money as this easement shall be there forever.

Since no agreement could be made on an amount for this easement, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried unanimously to table any action on this easement until the next City Commission meeting.

STUDY SESSION

STUDY SESSION

October 10, 1985 at 11:00 o'clock a.m. was scheduled for the next Study Session.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 2', 1985, cont'd.SHARON AND DAN JENSEN

Sharon and Dan Jensen were present at the meeting to complain about the Republican Street project encroaching on their property where they presently have a car port located. They want the City to pay for the relocation of their car port. City Manager Wetmore explained to the Jensens that he would visit with the City Engineer and Hall Brothers Construction about their problem.

There being no further business, motion was made by Commissioner Hattan, seconded by Commissioner Smith and duly carried to adjourn the meeting.



Verna Scott
City Clerk

(Seal)

VS:lf

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 16, 1985.

The City Commission met in regular session on October 16, 1985 at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

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

Visitors present: Dallas Nading from The Kansan, Sam Budreau, Lu Losh, B.P.W., Ross Vander Hamm, Ethel Henthorne, B.P.W., Margaret Balch, B.P.W., and Larry Blochlinger.

Minutes of the October 2, 1985 meeting were approved as written.

APPROPRIATION ORDINANCE NO. 19

APPROVED

Appropriation Ordinance No. 19 was approved according to law.

PETITION FOR ANNEXATION

WATSON AND BREault TRACTS

The City Attorney advised the Commission that a Petition for Annexation from John D. and Julia R. Watson, and Urban E. and Evelyn Breault had been filed with the City requesting tracts of land located at the south end of Republican Street be annexed into the City. Following a brief discussion, motion was made by Commissioner Smith, seconded by Commissioner Layton and duly carried unanimously to accept the petition for annexation.

ORDINANCE NO. 2422 (ANNEXATION OF WATSON & BREault TRACTS)

APPROVED

An ordinance entitled "AN ORDINANCE INCLUDING AND INCORPORATING CERTAIN LAND WITHIN THE LIMITS AND BOUNDARIES OF THE CITY OF CONCORDIA, KANSAS" was read and considered by the Commission. On Roll call upon its passage, the following Commissioner voted "Yea": Hattan, Smith and Layton. "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. 2422.

APPOINTMENTS TO PLANNING COMMISSION

MIKE JOHNSTON, KEITH SHERWOOD
RACHELLE HOWER AND KAREN DUNLAP

The City Manager presented to the Commission the following recommendations for persons to serve on the Planning Commission. He advised that all the person recommended have been contacted and agreed to serve on the Commission.

- a) Mike Johnston, term to expire November 1, 1987
- b) Keith Sherwood, term to expire November 1, 1987
- c) Rachelle Hower, term to expire November 1, 1988
- d) Karen Dunlap, term to expire November 1, 1988.

Following a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried unanimously to accept the recommended appointments of the above named individuals for terms on the Planning Commission.

APPOINTMENT TO BOARD OF ZONING APPEALS

KAREN DUNLAP

The City Manager presented to the Commission the recommendation for Karen Dunlap to represent the Planning Commission on the Board of Zoning Appeals with her term to expire on January 19, 1988. Following a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried unanimously to appoint Karen Dunlap to the Board of Zoning Appeals with her term to expire on January 19, 1988.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 16, 1985, cont'd.

QUARTERLY INVESTMENT REPORTSORDERED 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 April 1, 1985 through October 30, 1985.

<u>Amount</u>	<u>Fund</u>	<u>Due Date</u>	<u>Interest Rate %</u>	<u>Interest Received</u>	<u>Original Term</u>
Varies	Misc.	7-1-85	Varies	105.17	31 Days
325,000.00	Misc.	7-1-85	Varies	1,778.17	30 Days
420,000.00	Misc.	7-1-85	Varies	2,397.87	30 Days
8,451.42	Wt. Deposit	7-3-85	8	116.61	Passbook
100,000.00	Water/Sewer	7-15-85	8.15	1,339.73	60 Days
Varies	Misc.	8-1-85	Varies	325.42	31 Days
300,000.00	Misc.	8-1-85	Varies	1,919.92	31 Days
670,000.00	Misc.	8-1-85	Varies	3,280.34	31 Days
200,000.00	Water/Sewer	8-9-85	7.25	2,383.56	60 Days
Varies	Misc.	9-3-85	Varies	368.40	31 Days
300,000.00	Misc.	9-3-85	Varies	1,747.98	31 Days
225,000.00	Water/Sewer	9-3-85	Varies	893.84	22 Days
545,000.00	Misc.	9-3-85	Varies	3,193.01	31 Days
100,000.00	Water/Sewer	9-10-85	6.75	1,109.59	60 Days
INTEREST RECEIVED - THIRD QUARTER				\$20,959.61	
Interest Received - Second Quarter				29,409.48	
Interest Received - First Quarter				18,203.23	
				<u>\$68,572.32</u>	

The total interest to date of \$68,572.32 compares to \$82,872.30 for 1984 at this time. This is a decrease of \$14,299.98, a drop of 20%.

The reduction of interest income reflects the steadily dropping interest rates. The average interest rate for this period in 1984 was 9.438% compared to 7.54% for the third quarter in 1985.

Respectfully submitted,

/s/ Randy A. Wetmore
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>CERTIFICATES OF DEPOSIT:</u>					
\$ 51,898.97	Sm. Animal Tr.	11-12-85	8.15	Cloud County	182 Days
11,398.34	Sm. Animal Tr.	11-12-85	8.15	Cloud County	182 Days
35,831.00	Cem. Endow.	4-6-86	10.50	Cloud County	30 Months

INSURED INVESTMENTS/SUPER SAVER ACCOUNTS:

800,000.00	Misc.	10-1-85	Varies	First Bank	EOM
385,000.00	Water/Sewer	10-1-85	Varies	Cloud County	EOM
190,000.00	Misc.	10-1-85	Varies	Cloud County	EOM

PASSBOOK:

8,521.23	Water Deposit	10-1-85	8 %	Cloud County	Passbook
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\$1,482,649.54

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

/s/ Randy A. Wetmore
City Manager

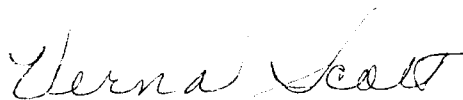
/s/ Verna Scott
City Clerk

/s/ Rebecca Leon
City Treasurer

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 16, 1985, cont'd.AUDIENCE WITH VISITORS

Lu Losh, Ethel Henthorne and Margaret Balch were present at the meeting representing the Business and Professional Women's Club. Lu Losh, President of the B.P.W. was spokesman for the group asked the Commission why their club had not been notified when reappointments were made to the Recreation Commission. Mayor Hattan explained that the Commission assumed that Mae LeDuc whose term expired in 1984 would be their recommendation and he personally felt that members on the Commission could better serve if they were actively involved in the activities of the Recreation Commission. Ms. Losh then asked if the Commission was bound to appoint members of the various civic groups within the City. Mayor Hattan explained that never had all the civic groups and organizations been represented in all the boards and commissions, that the City Commission always had taken the civic groups recommendations under advisement, but that the Commission was not bound by any rule to appoint from these various civic groups.

There being no further business, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried to adjourn the meeting to October 23, 1985 at 11:00 o'clock a.m.



Verna Scott
City Clerk

(Seal)

VS:lf

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD OCTOBER 23, 1985.

The City Commission met in adjourned session at 11:00 o'clock a.m. on October 23, 1985 in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

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

Visitors present: Dallas Nading from The Kansan and Brad Lowell from The Blade-Empire.

BID AWARD - 1986 POLICE CAR KLING MOTORS, INC.

The City Manager presented to the Commission bids received on October 22, 1985 for a 1986 police vehicle for the City. The following bids were received:

<u>VEHICLE DESCRIPTION</u>	<u>BABE HOUSER MOTORS</u>	<u>KLING MOTORS</u>
1986 Police Car	1986 Chev. Impala	1986 Ford LTD Crown Victoria
	\$ 0	\$ 13,984.00
Less Trade-In 1984 Chevrolet Impala	<u>0</u>	<u>4,184.00</u>
Net Bid	\$10,100.00	\$ 9,800.00

After reviewing the bids received, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried unanimously to accept the apparent low bid of Kling Motors, Inc. for the 1986 police car for the Concordia Police Department.

RESOLUTION NO. 794 (PROJECT SS-85-1) PASSED

The City Clerk presented to the City Commission the written petition of John D. Watson and three (3) others, representing one hundred percent (100%) of the owners of record of the property involved, proposing the extension of an eight-inch sanitary sewer main from present terminus approximately 255 feet south, on the west side of Republican Street, in the City of Concordia, Cloud County, Kansas.

The Commission examined and considered the petition, after which it was moved by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission to approve Resolution No. 794.


ENGINEER'S ESTIMATE OF COST (PROJECT SS-85-1) APPROVED

Motion was made by Commissioner Hattan, seconded by Commissioner Smith 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 extension of an eight-inch sanitary sewer main from present terminus approximately 255 feet south, on the west side of Republican Street, in the City of Concordia, Cloud County, Kansas in the amount of \$6,155.00. The apportionment of cost on this project shall be fifty percent (50%) to be assessed against the improvement district and fifty percent (50%) to be paid by the city-at-large.

ORDINANCE NO. 2423 (RECREATION COMMISSION APPOINTMENTS) APPROVED

An ordinance entitled "AN ORDINANCE RELATING TO ADVISORY RECOMMENDATIONS TO THE CITY COMMISSION AS TO THEIR RECOMMENDATIONS OF THE RECREATION COMMISSION OF THE CITY OF CONCORDIA, KANSAS" was read and considered by the Commission. Following a discussion on the ordinance, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission. 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. 2423.

There being no further business, motion was made by Commissioner Layton, seconded by Commissioner Hattan to adjourn the meeting.



Verna Scott
City Clerk

(Seal)

VS:lf

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 6, 1985.

The City Commission met in regular session at 4:00 o'clock p.m. on November 6, 1985 in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

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

Visitors present: Dallas Nading from The Kansan and Brad Lowell from The Blade-Empire.

Minutes of the October 16, 1985 and October 23, 1985 meetings were approved as written.

APPROPRIATION ORDINANCE NO. 20-20A APPROVED

Appropriation Ordinance NO. 20-20A was approved according to law.

PETITION FOR ANNEXATION DOROTHY JOHNSON

The City Attorney advised the Commission that a Petition for Annexation from Dorothy Johnson had been filed with the City Clerk requesting a tract of land adjacent to Third Avenue be annexed into the City. Following a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Hattan and duly carried unanimously to accept the petition for annexation.

ORDINANCE NO. 2424 (ANNEXATION OF JOHNSON TRACT) APPROVED

An ordinance entitled "AN ORDINANCE INCLUDING AND INCORPORATING CERTAIN LAND WITHIN THE LIMITS AND BOUNDARIES OF THE CITY OF CONCORDIA, KANSAS, AND ANNEXING THE SAME TO SAID CITY" was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Hattan, Smith and Layton. "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. 2424.

BID AWARD-TEMPORARY NOTES (CG-85-BLK 106) CLOUD COUNTY BANK & TRUST

City Manager Wetmore presented to the Commission bids received on October 31, 1985 for the purchase of temporary notes, Series 1985-E, totaling \$19,988.51 to finance the construction of curb and gutter projects in the City of Concordia.

<u>BANK</u>	<u>NOTE AMOUNT</u>	<u>ANNUAL INTEREST COST</u>	<u>INTEREST RATE (%)</u>
Cloud County Bank & Trust	10,000.00	550.00	5.5%
	9,988.51	549.37	5.5
	19,988.51	1,099.37	
First Bank & Trust	10,000.00	750.00	7.5%
	9,988.51	749.14	7.5
	19,988.51	1,499.14	

The City Manager advised that it was his recommendation to accept the bid of Cloud County Bank & Trust with an interest rate of 5.5% with a net annual savings of \$399.77. After a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the Commission that the bid for the 1985-E Series Temporary note issue be awarded to Cloud County Bank & Trust of Concordia, Kansas, with an interest rate of 5.5% per annum.

AMBULANCE CHARGE-OFFS FOR JULY-DECEMBER 1984 APPROVED

The City Manager stated that a list of uncollectible ambulance charges has been compiled by city staff and submitted to the City Commission to be charged off. The amount determined to be uncollectible for July through December of 1984 is \$2,481.90. Of this amount, \$1,031.40 is Provider Write-off charges and \$140.00 is EDS Write-off-charges. The City has an agreement with Blue Cross-Blue Shield as agent for Medicare payments to accept assignment of charges. This contract provides that Medicare sends all payments directly to us and we therefore cannot collect any amount that is not approved by their office. In Oct., 1983 we applied for an increase to \$60.00 in our base charges for ambulance service and, in the past, after one year of experience at a new ambulance rate, we are given approval for the new rate. The approval for the \$60.00 has been deferred until January of 1986 and therefore has caused our charge-off amounts to be higher.

Following a discussion on the ambulance charge-offs, motion was made by Commissioner Layton, seconded by Commissioner Hattan and duly carried unanimously to approve the ambulance charge-offs in the amount of \$2,481.90.

RESOLUTION NO. 795 (NUISANCE ABATEMENT) EDWARD KENDALL

City Manager Wetmore stated that at this time, a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Concordia, to consider whether a nuisance exists at the following location:

- 1. 233 W. 3rd

City Clerk Scott advised the Commission that the property had been checked just prior to the meeting by Gene Ziegenbalg and he had determined the nuisance abatement to be 90% completed.

Following these comments, Mr. Wetmore presented to the Commission a resolution determining the existence of the nuisance and requiring removal or abatement. The Commission examined and considered the resolution, after which it was moved by Commissioner Hattan, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 795 be adopted and allowed an additional 10 days to remove or abate such nuisance.

RESOLUTION NO. 796 (NUISANCE ABATEMENT) JAMES & DONNA BISNETTE

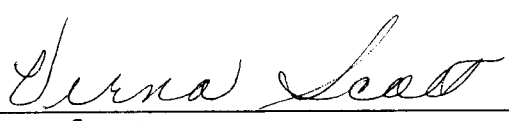
City Manager Wetmore stated that at this time, a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Concordia, to consider whether a nuisance exists at the following location:

- 1. 236 W. 2nd

City Clerk Scott advised the Commission that the property had been checked just prior to the meeting by Special Services Officer Ziegenbalg and he had determined the nuisance to be 10% completed.

Following these comments, Mr. Wetmore presented to the Commission a resolution determining the existence of the nuisance and requiring removal or abatement. The Commission examined and considered the resolution, after which it was moved by Commissioner Hattan, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 796 be adopted and allowed an additional 10 days to remove or abate such nuisance.

There being no further business, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried to adjourn the meeting to 11:00 o'clock a.m. on November 13, 1985.



Verna Scott
City Clerk

(Seal)

VS:1f

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD NOVEMBER 13, 1985

The City Commission met in adjourned session at 11:00 o'clock a.m. on November 13, 1985, in the City Commission Room in the City Hall. Commissioner Smith presided with Commissioner Layton present. Absent: Commissioner Hattan.

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

ORDINANCE NO. 2425 (CG-85-BLK 106) APPROVED

An ordinance entitled "AN ORDINANCE AND PROVIDING FOR THE ISSUANCE OF \$19,988.51 OF THE TEMPORARY NOTES OF THE CITY OF CONCORDIA, KANSAS, TO PROVIDE FUNDS TO PAY THE COST OF THE CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, THE COST OF WHICH WILL ULTIMATELY BE PAID BY THE ISSUANCE OF BONDS OF SAID CITY" was read and considered by the Commission. After a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission. 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 No. 2425.

BID AWARD-TEMPORARY NOTES (PROJECT ST-85-1) CLOUD COUNTY BANK & TRUST

City Manager Wetmore presented to the Commission bids received on November 7, 1985, for the purchase of temporary notes, Series 1985-F, totaling \$45,506.00 to finance the construction of 18th Street between Cedar and Republican in the City of Concordia.

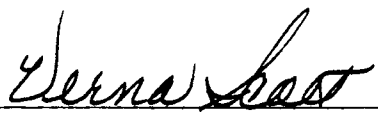
<u>BANK</u>	<u>NOTE AMOUNT</u>	<u>ANNUAL INTEREST COST</u>	<u>INTEREST RATE (%)</u>
First Bank & Trust	\$10,000.00	775.00	7.75%
	10,000.00	800.00	8.00
	10,000.00	800.00	8.00
	10,000.00	800.00	8.00
	6,506.00	520.48	8.00
		<u>\$3,695.48</u>	
Cloud County Bank & Trust	\$10,000.00	600.00	6.00%
	10,000.00	600.00	6.00
	10,000.00	600.00	6.00
	10,000.00	600.00	6.00
	6,506.00	390.36	6.00
		<u>\$2,790.36</u>	

The City Manager advised that it was his recommendation to accept the bid of Cloud County Bank & Trust, with an interest rate of 6.00%,with a net annual savings of \$905.12. After a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission that the bid for the 1985-F Series Temporary Note issue be awarded to Cloud County Bank & Trust of COncordia, Kansas, with an interest rate of 6.00% per annum.

ORDINANCE NO. 2426 (PROJECT ST-85-1) APPROVED

An ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$46,506.00 OF THE TEMPORARY NOTES OF THE CITY OF CONCORDIA, KANSAS, TO PROVIDE FUNDS TO PAY THE COST OF THE RECONSTRUCTION, GRADING, CURBING, SURFACING, GUTTERING AND DRAINAGE AND INCIDENTAL CONSTRUCTION RELATING TO 18TH STREET BETWEEN REPUBLICAN STREET AND CEDAR STREET IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, (HEREINAFTER THE "IMPROVEMENT"), THE COST OF WHICH WILL UTILMATELY BE PAID BY THE ISSUANCE OF BONDS OF SAID CITY" was read and considered by the Commission. After a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission. 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 No. 2426.

There being no further business, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried to adjourn the meeting.


Verna Scott, City Clerk

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 20, 1985.

The City Commission met in regular session at 4:00 o'clock p.m. on November 20, 1985 in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

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

Visitors present: Dallas Nading from The Kansan, Brad Lowell from The Blade-Empire, Helen Haynes, Vane Schierbaum, Medric Sicard, Laura Menhusen from Jewell, Louise Park from Mankato, Jane Welsh, Joseph Campanile, Charles Jewell, Suzy Tuggle, Sally Hood, Armand Balthazor, Roberta Champlin, James Mosher, Nellie Buckland, Blanche Mossburgh, Pearl S. Mason, Frances Jones, Lillie Fief, Della Fortin, Alma Cote, Aurelia Demars, Lena Hamel, Anna Campbell, Annette Hood, Irene Hubert, Dara Deneault, Pauline Mason, Mildred Christensen, Larry Blochlinger, William Partridge, Robin Hood, Laureli Kitchener, Diana Lagasse, Ross VanderHamm, Lucille Hood, Jeanne Larson, Joyce Williamson and Mike Johnston.

Minutes of the November 6 and November 13, 1985 meetings were approved as written.

APPROPRIATION ORDINANCE NO. 21

APPROVED

Appropriation Ordinance No. 21 was approved according to law.

PROCLAMATION

PANTHER VOLLEYBALL DAY

Mayor Hattan presented a proclamation honoring the Concordia High School Volleyball Team to Laureli Kitchener and Diana Lagasse, coaches for the team. The Mayor further proclaimed November 25, 1985 as Panther Volleyball Day in Concordia.

REZONING MOBILE HOME PARK FROM M-P DISTRICT TO I-1 DISTRICT

ACCEPTED

The City Manager presented to the Commission the recommendation from the Planning Commission based on a request from Oliver and Natalie Delforge to rezone the mobile home park at 1717 E. 6th Trafficway from an M-P (Mobile Home District) to I-1 (Light Industrial District). The Planning Commission met on October 29, 1985 to consider the request from Mr. and Mrs. Delforge and their decision was to approve the request.

Following a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried unanimously to authorize the City Attorney to prepare an ordinance making the appropriate changes affecting the mobile home park located at 1717 E. 6th Trafficway.

PLANNING COMMISSION RECOMMENDATION REGARDING
SORORITY/FRATERNITY HOUSES IN R-1 DISTRICTS

ACCEPTED

The City Manager presented to the City Commission the recommendation from the Planning Commission based on a request from Gary and Sylvia Sheets to amend the Zoning Ordinance to allow sorority/fraternity houses in an R-1 (Single Family Dwelling) District. The Planning Commission had met on October 29, 1985 to consider the amendment and it was their recommendation to oppose the requested amendment. Following a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried unanimously to accept the Planning Commission's recommendation to deny the request to allow sorority/fraternity houses in an R-1 Single Family Dwelling District.

RESOLUTION NO. 797 (PROHIBITING STORAGE, PROCESSING OR TRANSPORTATION
OF RADIOACTIVE WASTE)

APPROVED

There was a number of people at the Commission Meeting concerned about the possibility of a radioactive waste site being located in the nearby area. Mayor Hattan had done extensive research on the possibility of a radioactive waste site and addressed those present stating that the Commission was passing a resolution to let those persons in all levels of the government know that we are opposed to any dump site being located in the north central Kansas area. He explained that Wolf Creek Nuclear Power Plant produces 99.9% of the radioactive waste and that plant should be responsible for storing the waste rather than transporting it over our highways and increase the risk of leakage, etc.

Following a lengthy discussion on the subject, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried unanimously to pass Resolution No. 797 prohibiting storage, processing or transportation of radioactive waste at points other than the source and where storage, processing and transporting of radioactive materials cannot be prohibited outright, the Governing Body supports and endorses strict regulatory standards. The Governing Body further resolves to impose strict liability for any consequential damages resulting from exposure of persons or property to radioactive material and that such strict liability should be borne by all persons participating in the storage, processing and transporting of radioactive materials.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 20, 1985, CONT'D.

ORDINANCE NO. 2427 (REGULATING STORAGE & TRANSPORTING
OF RADIOACTIVE WASTE)

APPROVED

An ordinance entitled "AN ORDINANCE TO REGULATE TRANSPORTATION AND STORAGE OF RADIOACTIVE MATERIALS IN THE CITY OF CONCORDIA, KANSAS" was read and considered by the Commission. Following a lengthy discussion on the matter, motion was made by Commissioner Smith, seconded by Commissioner Hattan and duly carried by members-elect of the Commission. With all 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. 2427.


ORDINANCE NO. 2428 (ESTABLISHING WATER/SEWER CONNECTION SERVICE FEE)

APPROVED

The City Clerk presented to the Commission a memorandum requesting that the Governing Body adopt a policy of requiring a \$20.00 water/sewer connection fee for all new residential customers, a \$5.00 water/sewer service fee for all currently established customers who have moved to a new address and a \$10.00 reconnect fee for all customers who have had their water and sewer service terminated for non-payment of service. The following ordinance was presented which will repeal the deposit system currently in effect.

An ordinance entitled "AN ORDINANCE ESTABLISHING A WATER AND SEWER SERVICE CONNECTION FEE IN THE CITY OF CONCORDIA, KANSAS, AND AMENDING THE CONCORDIA CODE BY ADDING A SECTION TO BE NUMBERED 26-62" was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Hattan, Smith and Layton. "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. 2428.

There being no further business, motion was made by Commissioner Smith, seconded by Commissioner Layton and duly carried to adjourn the meeting.



Verna Scott, City Clerk

(Seal)

VS:lf

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 4, 1985.

The City Commission met in regular session at 4:00 o'clock p.m. on December 4, 1985 in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

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

Visitors present: Dallas Nading from The Kansan, Brad Lowell from The Blade-Empire, Dennis Rohr and Ross Vander Hamm.

Minutes of the November 2, 1985 meeting were approved as written.

APPROPRIATION ORDINANCE NO. 22-22A

APPROVED

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

ORDINANCE NO. 2429 (WALKER MOBILE HOME PARK FROM AN M-P DISTRICT TO AN I-1 DISTRICT)

PASSED

An ordinance entitled "AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN SPECIFICALLY DESCRIBED PROPERTY IN THE CITY OF CONCORDIA, KANSAS; DEFINING THE CHANGES OR BOUNDARIES AS AMENDED; ORDERING THE OFFICIAL CITY ZONING DISTRICT MAP TO BE CHANGED TO REFLECT SUCH AMENDMENTS; AMENDING SECTION 2 OF ARTICLE IV OF THE ZONING ORDINANCE FOR THE CITY OF CONCORDIA, KANSAS; AND RE-INCORPORATING THE OFFICIAL CITY ZONING DISTRICT MAP, AS AMENDED" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Hattan, Smith and Layton. "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. 2429.

ORDINANCE NO. 2430 (TEMPORARY NOTES FOR AL-83-122)

PASSED

An ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF A RENEWAL TEMPORARY IMPROVEMENT NOTE OF THE CITY OF CONCORDIA, KANSAS, IN THE PRINCIPAL AMOUNT OF \$4,000.00, FOR THE PURPOSE OF RENEWING A PORTION OF THE PRINCIPAL AMOUNT OF THE CITY'S PREVIOUSLY ISSUED TEMPORARY IMPROVEMENT NOTE, SERIES 1984-B; AND PRESCRIBING THE TERMS AND DETAILS OF THE RENEWAL NOTE" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Hattan, Smith and Layton. "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. 2430.

BID AWARD - TEMPORARY NOTE (PROJECT AL-83-122)

FIRST BANK & TRUST

City Manager Wetmore presented to the Commission bids received at 10:00 a.m. on December 4, 1985, for the purchase of a temporary note, Series 1985-G, totaling \$4,000.00 to refinance one-year temporary notes for alley construction in Block 122 in the City of Concordia.

The following bids were received:

<u>Bank</u>	<u>Annual Interest Cost</u>	<u>Annual Rate (%)</u>
Cloud County Bank & Trust	\$280.00	7.00%
First Bank & Trust	270.00	6.75%

City Manager Wetmore advised that it was his recommendation to accept the low bid of First Bank & Trust with an annual interest cost of \$270.00. After a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of all the members-elect of the Commission that the bid for Series 1985-G Temporary Note issue be awarded to First Bank & Trust with an annual interest rate of 6.75%.

AIRPORT PROPERTY AGREEMENT

DEAN WILLIAMS

The City Attorney advised the Commission that an agreement for the purchase of approximately 10 acres of property from Dean Williams at a cost to the City of \$10,000.00 had been reached. Mr. Retter advised that the City Commission needed to authorize the Mayor and City Clerk to sign the purchase agreement and that he had ordered the title insurance for the property. Mayor Hattan asked the City Manager if this \$10,000.00 would be 90% reimbursed to the City by the Federal Aviation Agency. City Manager Wetmore assured him that it would and that the total cost to the City for this purchase would be approximately \$1,000.00. Following a discussion on the purchase motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried unanimously to authorize the Mayor and City Clerk to sign a purchase agreement for approximately 10 acres from Dean Williams to complete the airport construction project.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 4, 1985, cont'd.

CONSENT TO ANNEXATION

KENNETH & LYDIA SKEELS

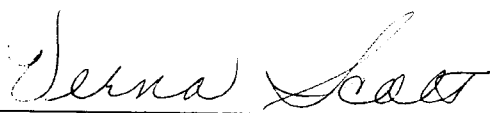
The City Attorney advised the Commission that a Consent for Annexation had been filed on this date with the City Clerk from Kenneth & Lydia Skeels for a tract of and along K-9 Highway just west of the present Concordia City limits. Following the filing of the Consent for Annexation, the following ordinance was passed.

ORDINANCE NO. 2431 (ANNEXATION-KENNETH SKEELS)

PASSED

An ordinance entitled "AN ORDINANCE INCLUDING AND INCORPORATING CERTAIN REAL ESTATE WITHIN THE LIMITS AND BOUNDARIES OF THE CITY OF CONCORDIA, KANSAS" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Hattan, Smith and Layton. "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. 2431.

There being no further business, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried to adjourn the meeting until 11:00 o'clock a.m. on December 11, 1985.



Verna Scott, City Clerk

(Seal)

VS:lf

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD DECEMBER 11, 1985

The City Commission met in adjourned session at 11:00 o'clock a.m. on December 11, 1985, in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith & Layton present. Absent: None.

Other officers present: City Manager Wetmore and City Clerk Scott.


RESOLUTION NO. 798, MORTGAGE REVENUE BOND PROGRAM-
SEDGWICK & FINNEY COUNTIES, KANSAS

APPROVED

The City Manager explained to the Commission that he had received correspondence from United Securities, Inc., asking that the City cooperate with Sedgwick & Finney Counties in connection with and for the purpose of making available low-cost mortgage loan money to first-time homebuyers in Kansas communities. Although no determination has been made as to the amount of the money that will be available within this area, one of the savings and loan associations has expressed their intention to participate in this program. This money will be available to first time home buyers at a fixed interest rate of 9.75% for a thirty-year fixed period.

After a brief discussion, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried unanimously that authorization be given to the Mayor and City Clerk to sign a Cooperation Agreement to participate in the 1985-Series A single-family mortgage revenue bond program of Sedgwick and Finney Counties.

There being no further business, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried to adjourn the meeting.


Verna Scott, City Clerk

(Seal)

VS:rl

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 18, 1985.

The City Commission met in regular session at 4:00 o'clock p.m. on December 18, 1985 in the City Commission room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

Other officers present: City Manager Wetmore and City Clerk Scott.

Visitors present: Brad Lowell from The Blade-Empire, Dallas Nading from The Kansan, Gene Ziegenbalg, Dennis Rohr, Ross Vander Hamm, Ron Caron, Mary Chartier, Blanche Chartier and Phil Schlup.

Minutes of the December 4 and December 11, 1985 meetings were approved as written.

APPROPRIATION ORDINANCE NO. 23

APPROVED

Appropriation Ordinance No. 23 was approved according to law.

RESOLUTION NO. 799 (SMOKE-OUT)

PASSED

The City Commission offered Congratulations to Gene Ziegenbalg who had survived the Great American Smoke-Out. Following a "Chewing Gum" poster presentation and a brief discussion, motion was made by Commissioner Smith, seconded by Commissioner Layton and unanimously carried to pass Resolution No. 799 honoring those who had survived the Great American Smoke-Out.

RESOLUTION NO. 800 (DANGEROUS STRUCTURES & DEBRIS - 6TH & BROADWAY)

APPROVED

The City Manager presented to the Commission a statement in writing that the following structures are dangerous and much debris resulting from a fire that occurred on November 14, 1985:

Lots 15, 16, 17 and 18, Division A, B, C, D, E, F and G of Block 136
of the Original Town of the City of Concordia, Cloud County, Kansas.

The City Manager stated that in accordance with Section 7-48(b) and Ordinance No. 2157 of the City of Concordia, Kansas, a resolution must be passed setting a hearing date, and providing for an appearance before the Commission by owners, lienholders of record, or occupants of any structure to show cause why such structure or debris should not be condemned and ordered repaired, demolished or removed.

After a discussion, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 800 declaring the above named area to be unsafe or dangerous, and setting February 5, 1986, at 4:00 o'clock p.m. in the City Commission Room, City Hall, Concordia, Kansas, as a hearing date, be approved.

CONSENT TO ANNEXATION

J.R. AND ROVENA HINSON

The City Manager advised the Commission that a Consent for Annexation had been filed on December 16, 1985 with the City Clerk by J.R. and Rovenia Hinson for a tract of land located adjacent to North Washington and Strain avenue just north of the present Concordia City limits. Following the acceptance of the "Consent to Annexation", the following ordinance was passed.

ORDINANCE NO. 2432 (ANNEXATION-J.R. & ROVENA HINSON)

PASSED

An ordinance entitled "AN ORDINANCE INCLUDING AND INCORPORATING LAND WITHIN THE LIMITS AND BOUNDARIES OF THE CITY OF CONCORDIA, KANSAS NAD ANNEXING THE SAME TO SAID CITY" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Hattan, Smith and Layton. "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. 2432.

ORDINANCE NO. 2433 (BOWLING ALLEY LICENSE FEE REPEALED)

PASSED

City Manager Wetmore presented a request from Gerald Danielson, owner of Hillcrest Lanes, to repeal the ordinance requiring a license fee on bowling alley lanes claiming that he paid sales tax, and other machine license taxes. Mr. Danielson justified his request claiming that bowling is a sport rather than an amusement. Following a discussion on this matter, the following ordinance was passed.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 18, 1985, cont'd.

An ordinance entitled "AN ORDINANCE RELATING TO THE DEREGULATION OF BOWLING ALLEYS IN THE CITY OF CONCORDIA, KANSAS, AND REPEALING CONCORDIA CODE SECTIONS 4-2 AND 14-39" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Hattan, Smith and Layton. "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. 2433.

There being no further business, motion was made by Commissioner Hattan, seconded by Commissioner Layton and duly carried to adjourn the meeting until 11:00 o'clock a.m. on December 24, 1985.



Verna Scott, City Clerk

(Seal)

VS:lf

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD DECEMBER 24, 1985.

The City Commission met in adjourned session at 11:00 o'clock a.m. on December 24, 1985 in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

Other officers present: City Manager Wetmore and City Clerk Scott.

Visitors present: None.

BUDGET AMENDMENT HEARING (WATER/SEWER PRINCIPAL & INTEREST FUND)HELD

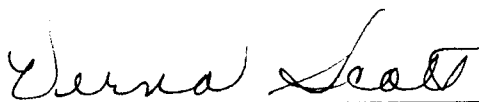
The City Manager advised the Commission that per their approval, a Notice of Hearing on Amending the 1985 Budget had been published and that the hearing was now being held. Mr. Wetmore advised that the budget amendment was needed due to an error in the budget preparation that did not show an expenditure amount to pay for the water and sewer bond payments. He further stated that the Notice of the Hearing had been published as prescribed by law on December 9th, 1985 and that the required 10 days had elapsed.

Following a brief discussion, at which time it was noted that no protests had been received, motion was made by Commissioner Layton, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission to approve the budget amendment as submitted to allow the expenditure of the bond and interest payments from the Water and Sewer Fund, in the amount of \$30,000.00.

ORDINANCE NO. 2434 (BOUNDARY ORDINANCE)PASSED

An ordinance entitled "AN ORDINANCE DEFINING THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS" was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea: Hattan, Smith and Layton. "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. 2434.

There being no further business, motion was made by Commissioner Hattan, seconded by Commissioner Smith and duly carried unanimously to adjourn the meeting until 11:00 o'clock a.m. on December 31, 1985 for the annual year-end meeting.



Verna Scott, City Clerk

(Seal)

VS:lf

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD DECEMBER 31, 1985

The City Commission met in adjourned session at 11:00 o'clock a.m. on December 3, 1985 in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Smith and Layton present. Absent: None.

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

Visitors present: Marikay Hull, Ross A. Olson, Michelle Olson, Missy Heller, Amy Heller Heller and Mark Olson, and Dallas Nading from The Kansan.

Minutes of the December 18, 1985 and December 24, 1985 meetings were approved as written.

APPROPRIATION ORDINANCE NO. 24

PASSED

Appropriation Ordinance nO. 24 was passed according to law.

1986 CITY LICENSE RENEWALS

APPROVED

The City Manager presented the following list of 1986 City Licenses to the City Commission for their consideration and approval:

Business

Amount Paid

CLASS B BEER

The Concordia Country Club, 600 W. 13th	\$150.00
Loyal Order of Moose # 1428, 113 W. 5th	150.00
Hillcrest Lanes, 1909 Lincoln	150.00
The Hourglass, 109 W. 6th	150.00
B.P.O. Elks #586, 6th & State	150.00
VFW # 588, 105 W. 7th	150.00
American Legion Post # 76, 506 Washington	150.00
Broadway Lounge, 418 Broadway	150.00
The Pizza Hut, 1431 E. 6th	150.00
The Office, 117 E. 6th	150.00
Porky's Place, 115 E. 6th	150.00

CLASS A BEER

Larry's Food Store, 307 W. 6th	50.00
Boogaart Super Market, 1301 E. 6th	50.00
Boogaart Super Market, 7th & Washington	50.00
Loves Country Store, 1301 Lincoln	50.00
McGannon's Apco, 1302 Lincoln	50.00
The Store, 203 E. 6th	50.00
Discount Gas # 1, 8th & Lincoln	50.00
Porky's Place, 115 E. 6th	50.00

SEWER/PLUMBER & GAS INSPECTORS

Eldon Budreau, RR # 2	30.00
Izzy's Plbg. & Htg., 611 E. 11th	30.00
Clrk Plbg. & Htg., 120 W. 6th	30.00
Demanette Appliance, 128 E. 6th	30.00
Whitney Plbg. & Htg., 127 E. 6th	30.00
Jerry's Electric, 103 E. 6th	30.00
Jewell Plbg. & Htg., 1405 Lincoln	30.00
Derowitsch Const., Box 486, Belleville	30.00
B & T Plbg. & Htg., 5th & Broadway	30.00
Superior Plbg. & Htg., 2203 Centennial Rd., Salina	30.00
Hood Construction Co., 433 E. 12th	30.00

GAS INSPECTOR

Culbertson Electric, 106 W. 6th	15.00
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PHOTOGRAPHERS

Pfuetze-Bergman Studio, 516 Washington	20.00
Shugart Studios, Box 580, Loveland, TX 79336	20.00
James Bell, 1916 Lincoln	20.00
Switzer Studio, 8th & Cedar	20.00
Martin Wunderle, Box 135, Clifton	20.00
Lifetouch Portrait Studios, Inc., Box 35899, Minneapolis, MN	20.00

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD DECEMBER 31, 1985, cont'd.

<u>Business</u>	<u>Amount Paid</u>
<u>MISCELLANEOUS</u>	
M & N Iron & Metal, 407 Cedar (Junk Yard)	\$ 20.00
H & H Taxi, 515 Matthew (Taxi Cab Co.)	50.00
Lagasse Auctioneer Serv., Rt. #3 (Auctioneer)	30.00
Duane E. Donaven, Rt. #1, Bloomington, NE (Crop Spraying)	25.00
City Cab, 223 NE 6th St., Abilene, KS (Taxi Cab Co.)	50.00
Eldon Budreau, RR #2 (Auctioneer)	15.00
<u>MACHINES</u>	
The Hourglass, 109 W. 6th (4 Pool Tables)	48.00
Lesters Sweet Shop, 210 W. 6th (1 pony ride)	5.00
American Legion Post, 506 Washington (2 amusement, 1 music)	70.00
VFW #588, 105 W. 7th (1 amusement, 1 music, 1 pool table)	57.00
Boogaarts, 7th & Washington (1 pony ride)	5.00
Hillcrest Lanes, 1909 Lincoln (2 billiard tables)	24.00
The Office, 117 E. 6th (1 music, 2 pool tables, 1 amusement)	69.00
Alco Discount Store, 1401 E. 6th (1 car ride)	5.00
Central Music, 715 Bishop, Salina, KS	
The Hourglass, 109 W. 6th (1 music, 2 amusement)	70.00
Hawk & Son Vending, 841 Plaza Dr., Salina, KS	
Puttsville, 209 W. 6th (1 pool table, 16 amusement)	412.00
Boogaarts, 7 & Washington (1 amusement)	25.00
Boogaarts, 1301 E. 6th (1 amusement)	25.00
Porky's Place, 115 E. 6th (2 amusement, 1 music, 1 foosball, 2 pool)	106.00
Persinger, Inc., 2720 M St., Belleville, KS	
B.P.O. Elks, 6th & State (1 music)	20.00
The Store, 6th & Lincoln (1 amusement)	25.00
Taco Grande, Alco Plaza (1 music, 1 amusement)	45.00
Buck-N-Ham Palace, 1530 E. 6th (1 foosball, 2 pool, 2 amusement)	86.00
Hillcrest Lanes, 1909 Lincoln (4 amusement, 1 music, 1 foosball)	132.00
CCCC, 2221 Campus Dr. (2 pool, 1 amusement)	49.00
Broadway Lounge, 418 Broadway (2 amusement, 1 music, 2 pool, 1 foosball)	106.00
Boston Corbett Club, 85 N. Lincoln (1 amusement)	25.00
Pizza Hut, 1431 E. 6th (1 music, 2 amusement)	70.00
The Office, 117 E. 6th (2 amusement)	50.00

Following a discussion on the 1986 City Licenses, motion was made by Commissioner Hattan, seconded by Commissioner Smith and duly carried by the affirmative vote of the entire members-elect of the Commission that the above described 1986 City Licenses be approved.

AUDIENCE WITH VISITORSROSS OLSON

Ross Olson was present at the meeting to answer any questions the Commission might have on the insurance bid that had been submitted to the City on December 30, 1985. Mr. Olson's agency had submitted a bid in the amount of \$61,421.00. The only other bid the City received was from Bays-Erickson-Swiercinsky, Inc. in the amount of \$87,990.00. Mr. Olson assured the Commission that he looked forward to continued cooperation with the City.

There being no further business, motion was made by Commissioner Hattan, seconded by Commissioner Smith and duly carried unanimously to adjourn the meeting.


Verna Scott, City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 2, 1986.

The City Commission met in regular session at 4:00 o'clock p.m. on January 2, 1986 in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioner Layton present. Absent: Commissioner Smith.

Other officers present: City Manager Wetmore and City Clerk Scott.

Visitors present: Boyd Dochow.

Mayor Hattan requested a City of Concordia Cap. The Mayor was advised that the request was granted and he was instructed to pick up said cap in the City Clerk's office.

There being no further business, motion was made by Commissioner Layton, seconded by Commissioner Hattan and duly carried unanimously to adjourn the meeting until 11:00 o'clock a.m. on January 8, 1986.



Verna Scott, City Clerk

(Seal)

VS:lf