

MINUTES OF THE CITY COMMISSION MEETING HELD JANUARY 6, 1993

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The City Commission met in regular session on January 6, 1993, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Bombardier presided with Commissioners Hattan and Robbins present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK-KCKS, Brad Lowell from The Blade-Empire, Ima Jean Chavey, Tom Fisher, Judith A. McKee, Gerald J. Brown, Armand Balthazor, Sam Budreau and Jack Graves.

Minutes of the December 30, 1992, meeting were approved as written.

OLD BUSINESS

Mayor Bombardier asked Mr. Nienstedt if there was any old business. City Manager Nienstedt reviewed the temporary note payments made prior to the end of the year.

MAYOR'S COMMENTS

Mayor Bombardier asked permission from the other commissioners to comment on the year - 1992. He said 1992 is a year he'll never forget. He thanked each of the commissioners for all their help during the year and then thanked each of the Department Heads. He said the July 8th storm had required each person working for the City to pull together. He thanked David Retter for working through the lawsuit. He thanked Richard for all the extra work that had to be done because of the storm and the lawsuit, he thanked Jack Graves for letting him drive the fire truck, Tom Fisher for letting him drive a truck, Judith McKee for letting him help pick up trash, Sam Budreau for letting him ride in a patrol car, Verna Ferguson for answering his questions and then he thanked Armand Balthazor saying "He couldn't have done it without him."

City Manager Nienstedt said one of the reasons we were successful this year is because we worked together as a team.

RESOLUTIONS NO. 1108, 1109 AND 1110

NUISANCE ABATEMENTS

Mayor Bombardier 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 nuisances exist at the following locations:

1. 430 E. 1st - Reso. No. 1108 (Francis Blochlinger)
2. 1800 Block - Broadway - Reso. 1109 (Douglas Kilpatrick)
3. 212 W. 18th - Resolution No. 1110 (Sharon Henderson)

Special Services Officer Gerald J. Brown advised the Commission that he had Special Services Officer Gerald J. Brown advised the Commission that he had checked the properties prior to the meeting and found the following:

1. 430 E. 1st (Francis Blochlinger). The work was partially done and Mr. Blochlinger has requested a 2 week extension on the abatement.
2. 1800 Block of Broadway - the 1981 Plymouth was still there.
3. 212 W. 18th - the owners have requested a 30 day extension.

Resolution No. 1108, Commissioner Bombardier moved to allow an additional 2 weeks for clean-up of the property at 430 E. 1st. Commissioner Robbins seconded. Motion carried.

Resolution No. 1109, Commissioner Robbins moved, seconded by Commissioner Bombardier to approve Resolution No. 1109 with no additional time for the abatement.

Resolution No. 1110, Commissioner Bombardier moved, seconded by Commissioner Robbins and duly carried to approve this resolution with an additional 30 days given for clean-up.

FINAL COSTS (PROJECTS SS-91-1) (CONSTRUCTIVE PLAYTHINGS)

APPROVED

The City Manager presented to the governing body the following itemized statement of the actual costs of: a 10" sanitary sewer extension beginning at the MH at the SE Corner of the Neander Tract, thence South in the West ditch of road to SE corner of Lot 3, Block B, Nor' East Industrial Park, in the City of Concordia, Cloud County, Kansas, as authorized and ordered done by Resolution No. 1028 of the Governing Body passed on November 20, 1991.

MINUTES OF THE CITY COMMISSION MEETING HELD JANUARY 6, 1993, cont'd.

| <u>PROJECT SS-91-1</u>                 | <u>PROPERTY ASSESSMENT</u> | <u>CITY-AT-LARGE</u> |
|--|----------------------------|----------------------|
| 10" PVC Sewer Pipe                     | \$ 9,674.40                | \$ 2,418.59          |
| Boring                                 | 4,651.25                   | 1,162.81             |
| 16" Steel Casing                       | 2,648.64                   | 662.16               |
| 9' - 11' Trench & Backfill             | 2,047.48                   | 511.86               |
| 7' - 9' Trench & Backfill              | 1,139.33                   | 284.83               |
| Standard Manhole 6'                    | 3,920.00                   | 980.00               |
| Extra Depth Manhole                    | 1,219.91                   | 304.97               |
| Connect to Existing Manhole            | 180.00                     | 45.00                |
| Cut & Repair Asphalt Pavement          | 4,689.55                   | 1,172.38             |
| Railroad Inspection Fee                | 600.00                     | 150.00               |
| Engineering, Staking & Inspection Ser. | 1,480.00                   | 370.00               |
| Legal Services                         | 627.96                     | 156.99               |
| Administration                         | 821.94                     | 205.52               |
| Interim Financing                      | <u>5,004.53</u>            | <u>1,251.13</u>      |
| TOTALS                                 | \$ 38,704.99               | \$ 9,676.24          |
| TOTAL PROJECT COST                     |                            | \$48,381.23          |

The statement was considered by the Governing Body and on a motion by Commissioner Bombardier, seconded by Commissioner Hattan and duly carried by the affirmative vote of the entire members-elect of the Commission present and voting, the total cost of the improvements were determined to be \$48,381.23. The City Clerk had determined the assessment against each lot, piece or parcel of land deemed to be benefited in the manner set forth in said resolution and had caused to be prepared an assessment roll. On a motion by Commissioner Hattan, seconded by Commissioner Robbins and duly carried by the affirmative vote of the entire members-elect of the Commission present and voting, this Governing Body determined to meet and consider the proposed assessments on the 20th day of January, 1993, 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 costs proposed to be assessed.

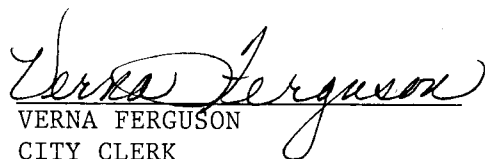
COMMISSION COMMENTS

Commissioner Hattan asked about the status of the storm work and why there seemed to be some items missing from the Statement of Values on the City's insured list. Mr. Nienstedt assured Mr. Hattan that the Statement of Values had been updated and all items that were missing were now included on the Statement of Values.

PUBLIC COMMENTS

Armand Balthazor wanted to know what the federal and state laws were on handicapped parking stalls. Tom Fisher said we have two stalls per block. Armand wanted to know what the City's policy was for cleaning the handicapped stalls. Tom said we didn't have a definite policy. Armand said the Concerned Citizens had received a letter from a handicapped individual complaining about the icy conditions of the handicapped parking stalls.

There being no further business, Commissioner Bombardier moved to adjourn the meeting to January 13, 1993, at 5:30 p.m.. Commissioner Hattan seconded. Motion carried.

  
VERNA FERGUSON  
CITY CLERK

(Seal)

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JANUARY 13, 1993

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The City Commission met in adjourned session at 5:30 o'clock p.m. on January 13, 1993, in the City Commission Room in the City Hall. Mayor Bombardier presided with Commissioners Hattan and Robbins present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Brad Lowell from The Blade-Empire, Joe Jindra from KNCK/KCKS, Tom Fisher, Mel Waite, Armand Balthazor, Jack Graves, Ima Jean Chavey, Martin Molter, Jamey Ketterman, Rich Terrian, Eldon Wisdom, Judith A. McKee, Armand Racette, Bob Ballard, Dennis Southwick, Boris Tilov, Susan Retter, Lee Lowell, Travis Reed, Randy Ballard, Brock Tremblay, Allan Dodson and Reuban Lowrey.

Minutes of the January 6, 1993, meeting were approved as written.

APPROPRIATION ORDINANCE NO. 24 - FINAL

APPROVED

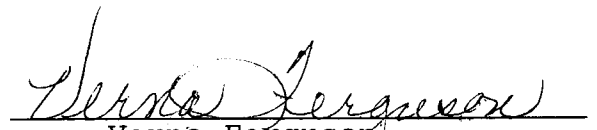
Final approval was given on the final appropriation ordinance for 1992.

ADDENDUM TO CITY ATTORNEY'S AGREEMENT

APPROVED

City Manager Nienstedt presented an addendum to the City Attorney's agreement which formalizes what has been actual practice. David Retter also pointed out that he had no problem with the language being added to his agreement. Following discussion, Commissioner Hattan moved to approve the addendum to City Attorney David Retter's contract. Commissioner Robbins seconded. Motion carried unanimously.

There being no further formal business, Commissioner Bombardier moved to adjourn the meeting. Commissioner Robbins seconded. Motion carried.

  
Verna Ferguson  
City Clerk

(Seal)

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The City Commission met in regular session on January 20, 1993, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Bombardier presided with Commissioners Hattan and Robbins present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK-KCKS, Brad Lowell from The Blade-Empire, Karl D. Musick, Sam Budreau, Fredric Dunshie, Mel Waite, Armand Balthazor, Judith A. McKee, Ken Johnson, Ima Jean Chavey and Jack Graves.

Minutes of the January 13, 1993 adjourned meeting minutes were approved as written.

APPROPRIATION ORDINANCE NO. 1

APPROVED

Appropriation Ordinance No. 1 was approved according to law.

ASSESSMENT HEARING - PROJECT SS-91-1

HELD

The Mayor announced that this was 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:

Construction of a ten-inch sanitary sewer main and appurtenances for a distance of approximately 1, 257 lineal feet north and south in the road easement commonly known as industrial Drive adjoining tracts in the Nor'East Industrial Park Area, in Cloud County, Concordia, Kansas

as authorized by Resolution No. 1028 of this Governing Body adopted November 20, 1991, 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).

Karl D. Musick was present representing C-P Products Co. but had no objections to project or the assessment costs.

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, Commissioner Hattan moved, seconded by Commissioner Robbins and duly carried by the affirmative vote of all the members-elect of the Commission to approve the proposed assessments in the amounts set out against the lands described in the assessment roll as provided by K.S.A. 12-6a10, as amended.

ORDINANCE NO. 2578 (SPECIAL ASSESSMENTS FOR SS-91-1)

PASSED

Following the above hearing, the following ordinance was presented.

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 CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF CONCORDIA, KANSAS" was read and considered by the Commission. On roll call upon its passage, the following commisisoners voted "Yea": Bombardier, Hattan and Robbins. "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. 2578.

ORDINANCE NO. 2579 (LICENSES FOR CERTAIN BUSINESSES ELIMINATED)

PASSED

City Manager presented to the City Commission an ordinance eliminating the fees charged for the following businesses:

Auctioneers, Coin-operated amusement and music devices, junk dealers and photographers.

Mr. Nienstedt, in his presentation, stated that Mrs. Persinger from Belleville had contacted the City Commission in 1991 and again in 1992 requesting abatement of the license fee saying that it was supposed to be a regulatory fee but the City wasn't required to regulate their business. Her request was for the abatement of amusement and music machine licenses. Upon investigation, the City Commission decided to eliminate other non-regulatory license fees as well and included auctioneers, junk dealers and photographers along with the coin-operated amusement and music machines.

Following discussion, the following ordinance was present:

An ordinance entitled "AN ORDINANCE ABOLISHING CERTAIN LICENSE FEES IN THE CITY OF CONCORDIA, KANSAS; AND AMENDING THE CONCORDIA CODE BY REPEALING THE FOLLOWING SECTIONS: 14-36, 14-43, 14-49 AND 14-54, EFFECTIVE JANUARY 1, 1994" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Bombardier, Hattan and Robbins. "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. 2579.

BID AWARD FOR T-HANGARS

GARRISON CONSTRUCTION/PELLA BUILDING

City Manager Nienstedt presented bids to the City Commission that had been received on January 7, 1993. These bids are for reconstruction of the T-Hangars that were destroyed in the July 8, 1992, Storm. The following bids were received.

| <u>BIDDER</u>                 | <u>AMOUNT</u> |
|-------------------------------|---------------|
| William Construction Co.      | \$ 129,378.00 |
| Treb Construction Co.         | 130,700.00    |
| Garrison Const/Pella Building | 117,969.98    |

Following discussion, Mr. Nienstedt recommended the low bid of Garrison Construction/Pella Building contingent upon whether or not the bid specifications had been met. Commissioner Hattan moved to approve the bid of Garrison Construction/Pella Building in the amount of \$117,969.98 contingent verifying the bid price meeting the original specifications. Commissioner Bombardier seconded. Motion carried unanimously.

DESIGNATION OF OFFICIAL DEPOSITORIES

APPROVED

City Manager Nienstedt advised the Commission that State Law requires that banking institutions holding public funds need to be designated by the elected officials. Motion was made by Commissioner Hattan, seconded by Commissioner Robbins and duly carried unanimously to designate Citizens National Bank, First Bank and Trust and Tri-County National Bank to be the official depositories for the City of Concordia.

CONSIDERATION OF FOURTH QUARTER INVESTMENT REPORTS

ACCEPTED

City Clerk Ferguson presented the investment reports for the Fourth Quarter of 1992. Commissioner Bombardier moved to accept the investment reports. Commissioner Hattan seconded. Motion carried unanimously.

TAX ABATEMENT HEARING REQUESTED BY S & S ENTERPRISES

DATE SET

City Manager advised that Joe Strecker of S & S Enterprises has requested an economic development tax abatement for construction of a new building at 5th and Washington Streets. Mr. Nienstedt said a business had to meet one of the following to be eligible for a tax abatement. 1) Interstate Commerce; 2) Research and Development; and 3) Increase the number of employees.

City Attorney Retter felt they met some of the criteria such as Interstate Commerce and involved in manufacturing. City Manager Nienstedt said they might be eligible for a 50% tax abatement. Mr. Retter said in their original applicatoín they are not planning on more employees but that it would be a possibility in Phase II.

Following discussion, Commissioner Hattan moved to set the date of February 3, 1993 at 4:00 p.m. to hear public comments on the tax abatement and further instructed the City Clerk to notify Cloud County, U.S.D. 333 and Cloud County Community College and to publish the Notice of the Hearing. Commissioner Bombardier seconded. Motion carried.

The City Commission met in regular session on January 20, 1993, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Bombardier presided with Commissioners Hattan and Robbins present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK-KCKS, Brad Lowell from The Blade-Empire, Karl D. Musick, Sam Budreau, Fredric Dunshie, Mel Waite, Armand Balthazor, Judith A. McKee, Ken Johnson, Ima Jean Chavey and Jack Graves.

Minutes of the January 13, 1993 adjourned meeting minutes were approved as written.

APPROPRIATION ORDINANCE NO. 1

APPROVED

Appropriation Ordinance No. 1 was approved according to law.

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#### APPROVED

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#### ACCEPTED

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#### TAX ABATEMENT HEARING REQUESTED BY S & S ENTERPRISES

#### DATE SET

City Manager advised that Joe Strecker of S & S Enterprises has requested an economic development tax abatement for construction of a new building at 5th and Washington Streets. Mr. Nienstedt said a business had to meet one of the following to be eligible for a tax abatement. 1) Interstate Commerce; 2) Research and Development; and 3) Increase the number of employees.

City Attorney Retter felt they met some of the criteria such as Interstate Commerce and involved in manufacturing. City Manager Nienstedt said they might be eligible for a 50% tax abatement. Mr. Retter said in their original applicatoin they are not planning on more employees but that it would be a possibility in Phase II.

Following discussion, Commissioner Hattan moved to set the date of February 3, 1993 at 4:00 p.m. to hear public comments on the tax abatement and further instructed the City Clerk to notify Cloud County, U.S.D. 333 and Cloud County Community College and to publish the Notice of the Hearing. Commissioner Bombardier seconded. Motion carried.

PUBLIC COMMENTS

Armand Balthazor asked about the City's debt and the refunding issue.

Fredric Dunshie noted that as soon as the signatures were verified on his petition, he would be a candidate for City Commission.

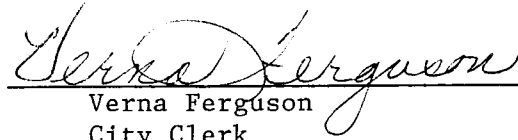
City Manager Nienstedt reported on the Snow and Ice Removal. He reported that the Street Department had plowed 421 miles, labor costs were \$3,360 and material costs were \$2,616 making the total \$5,976.00.

STUDY SESSION

DATE & TIME SET

The Commission set the next Study Session for January 27, 1993, at 5:30 p.m.

There being no further business, Commissioner Hattan moved to adjourn the meeting. Commissioner Robbins seconded. Motion carried.

  
Verna Ferguson  
City Clerk

(Seal)



The City Commission met in regular session on February 3, 1993, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Bombardier presided with Commissioners Hattan and Robbins present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK-KCKS, Brad Lowell from The Blade-Empire, Sam Budreau, Armand Balthazor, Ima Jean Chavey, Edwin Hamel, Mark C. Morgan, Boyd Dochow, Lorna Chestnut, Gertrude Dochow, Debbie Rittel, Jeni Rittel, Marie Dochow, Jenny Pruitt, Judith A. McKee, Mel Waite, Tom Fisher, Jim Ihrig, Armand Racette, Jack Graves and Eldon Wisdom.

Minutes of the January 20, 1993, meeting were approved as written.

APPROPRIATION ORDINANCE NO. 2

APPROVED

Appropriation Ordinance No. 2 was approved according to law.

LOREN DOCHOW MEMORIAL PLAQUE

PRESENTED

Mayor Bombardier presented a Memorial Plaque honoring Loren Dochow because of Loren's devotion and efforts to helping young people. A fund has been established which helps provide the youth of this community scholarships for good sportsmanship plus helping some with sports equipment such as gloves, etc. Marie Dochow, Boyd Dochow, Gertrude Dochow, Lorna Chestnut, Debbie Rittel and Jeni Rittel were present to receive the memorial in honor of Loren Dochow.

TAX ABATEMENT HEARING HELD

STRECKER, INC.

At the work session on January 27, 1993, Joe Strecker asked the City Commission to consider a tax abatement for him to enable him to build a new building and equip it to expand his water softening business and to manufacture distilled water.

City Attorney Retter had written two "rough draft" ordinances for the city to consider. One of the questions Mr. Retter asked the Commission was whether or not they wanted to include the personal property he has now or to just include any new equipment...and if this was to be a full ten year exemption.

Commissioner Hattan asked several questions concerning whether the \$30,000 was equipment he had in his possession now or new equipment. Mr. Retter stated that obviously, the building is new. He said one condition the Commission could consider is that the tax abatement would not be triggered until the building is completed. City Manager Nienstedt suggested they get a "Letter of Intent" from Mr. Strecker to accompany the tax abatement request to the Board of Tax Appeals.

Commissioner Robbins stated that it was his understanding that the tax abatement is just on new equipment and the new building.

David Retter said that he was also asking for exemption on some existing equipment.

Following a lengthy discussion on the tax abatement issue, Mr. Retter asked for direction from the Commission on what exactly what they wanted to do.

Commissioner Hattan noted the Commission was in favor of helping local businesses expand and it was his opinion that economic development could be better served by helping local people. He said that he thought it was a good idea to get a new building in the downtown area and it might encourage other local businesses to build or expand.

Commissioner Robbins felt that he would prefer giving the exemption on just the new construction.

Commissioner Hattan said he felt Mr. Strecker qualified for a 50% exemption and that he would be in favor of that. Mr. Nienstedt said that the real estate itself is not eligible for abatement.

Commissioner Robbins said he felt the tax abatement should be contingent upon completion of the building.

Mayor Bombardier asked for comments from the public.

Armand Balthazor said he thought the tax abatement was okay.

Commissioner Hattan moved to direct the city attorney to draft a new ordinance for a 50% tax abatement on the new construction and new equipment only. Commissioner Bombardier seconded. Motion carried unanimously.

BID AWARD ON 1993 POLICE VEHICLE

BABE HOUSER MOTORS

City Manager Nienstedt submitted a bid tabulation for a 1993 police vehicle for bids received on January 25, 1993. The following bids were received:

| BIDDER                       | BASE BID    | ALT #1<br>2 Trade-Ins | Alt #2<br>Trade-in<br>of 90 Ford | ALT #3<br>Trade-In<br>82 Chev |
|------------------------------|-------------|-----------------------|----------------------------------|-------------------------------|
| Babe Houser Motor            | \$12,945.00 | 9,345.00              | 9,945.00                         | 12,345.00                     |
| First Class Ford/<br>Mercury | \$13,391.50 | 9,891.50              | 10,391.50                        | 12,891.50                     |

Following discussion, Commissioner Bombardier moved to accept the bid of \$12,345.00 (Alternate No. 3) from Babe Houser Motors. Commissioner Hattan seconded. Motion carried unanimously.

FINAL COSTS (PROJECT SS-92-2) (WEAVER SANITARY SEWER)

APPROVED

City Manager Nienstedt presented to the governing body the following itemized statement of the actual costs of: One hundred forty feet of sanitary sewer construction from an existing manhole in Block 23, extended ten feet to Block 22, and servicing Lots 10 and 11 in Block 22, located within the City of Concordia, Cloud County, Kansas, according to the recorded plat thereof, as authorized by Resolution No. 1087 of the Governing Body of said City adopted on the 16th day of September, 1992.

| <u>PROJECT SS-92-2</u>            | <u>PROPERTY ASSESSMENT</u> | <u>CITY-AT-LARGE</u> |
|-----------------------------------|----------------------------|----------------------|
| 8" PVC Sanitary Sewer Pipe        | 366.60                     | -0-                  |
| Trench & Backfill (6'-8')         | 1,230.22                   | -0-                  |
| Standard Manhole                  | 980.00                     | -0-                  |
| Use of backhoe, air comp & loader | 1,395.00                   | -0-                  |
| Fill Gravel                       | 87.58                      | -0-                  |
| Cement                            | 358.68                     | -0-                  |
| Contingencies                     | 200.00                     | -0-                  |
| Staking, Design & Inspection      |                            |                      |
| ---(Engineering services)         | 323.50                     | -0-                  |
| Administration                    | 123.54                     | -0-                  |
| Interim Financing                 | 215.27                     | -0-                  |
| TOTAL COSTS                       | \$5,280.39                 | -0-                  |

The statement was considered by the Governing Body and on a motion by Commissioner Robbins, seconded by Commissioner Bombardier and duly carried by the affirmative vote of the entire members-elect of the Commission present and voting, the total cost of the improvements were determined to be \$5,280.39. The City Clerk had determined the assessment against each lot, piece or parcel of land deemed to be benefited in the manner set forth in said resolution and had caused to be prepared an assessment roll. On a motion by Commissioner Hattan, seconded by Commissioner Robbins and duly carried by the affirmative vote of the entire members-elect of the Commission present and voting, this Governing Body determined to meet and consider the proposed assessments on the 17th day of February, 1993, 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 costs proposed to be assessed.

CITY MANAGER COMMENTS

City Manager Nienstedt updated the Commission on the Hill Street situation. He said that he had sent letters to everyone in the Hill Street area and had provided an Engineer's Estimate of costs to pave Hill Street from 14th St. south to the City Limits.

MINUTES OF FEBRUARY 3, 1993, MEETING (CONTINUED)

Mr. Nienstedt said he had asked City Attorney Retter to draft a petition for circulation also. He also has asked those persons living in Rolling Hills as well as along Hill Street to all get together at a meeting to discuss this improvement.

Mr. Nienstedt said that an alternative to paving Hill Street is to route the traffic down Archer Street. He said that Archer Street and 11th Street have both been designated as major collector streets by the State.

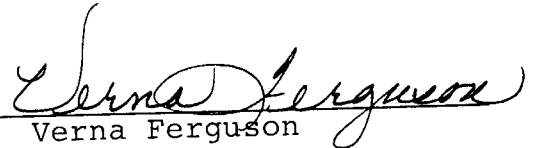
Commissioner Hattan thought that might be an alternative if we don't get a successful petition on Hill Street.

STUDY SESSION

DATE SET

The Commission set the next work session for February 10, 1993, at 5:30 p.m.

There being no further business, Commissioner Bombardier moved to adjourn this meeting until 5:30 p.m. on February 10, 1993 to consider the tax abatement ordinance for Strecker, Inc. Commissioner Robbins seconded. Motion carried.

  
Verna Ferguson  
City Clerk

(Seal)

vf

MINUTES OF THE ADJOURNED MEETING HELD FEBRUARY 10, 1993.

The City Commission met in regular session at 5:30 p.m. on February 10, 1993 in the City Commission Room in the City Hall. Mayor Bombardier presided with Commissioners Robbins and Hattan present.

Other officers present: City Manager Nienstedt, Deputy City Clerk Deneault and City Attorney Retter.

Visitors present: Joe Jindra from KNCK-KCKS, Brad Lowell from the Blade-Empire, Armand Balthazor, Damian Nobert, Joe Strecker, Tom Fisher, Mel Waite, Jack Graves, Sam Budreau, Ron Hubert, Ima Jean Chavey, Marie Dale and Gale Longenecker.

ORDINANCE NO. 2580 TAX ABATEMENT - STRECKER, INC.

APPROVED

Upon Mayor Bombardier's request, Manager Nienstedt explained the details concerning the tax abatement which Joe Strecker doing business as Strecker, Inc. had applied for and discussed at the February 3rd meeting.

There being no further questions the following Ordinance was presented for approval.

An ordinance entitled "An ordinance exempting certain property from Ad Valorem taxation for economic development purposes located on the following described real estate.

Lots Nineteen (19), Twenty (20), Twenty-one (21), Twenty-Two (22), Twenty-three (23), Twenty-four (24), and the West Six Feet (6') of Twenty-five (25), Block One Hundred Fifty-seven (157), all in the City of Concordia, Cloud County, Kansas.

The property to be included in the tax abatement is a 7,500 square foot building with a projected cost of \$174,623.00 exclusive of land cost. The building and improvements only and not the land itself are to be the subject of the exemption granted hereby; and the following personal property.

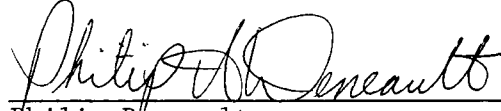
| <u>Equipment</u>                  | <u>Cost</u>        |
|-----------------------------------|--------------------|
| Storage Racks                     | \$ 3,000.00        |
| Parts Bins                        | 3,500.00           |
| Furniture and Office Equipment    | 5,000.00           |
| Forklift                          | 6,500.00           |
| Tools and Equipment               | 5,100.00           |
| Total Projected Personal Property | <u>\$23,100.00</u> |

All of which are to be acquired except the forklift, which is in existence.

The above property shall be exempt to the extent of fifty percent (50%) of its assessed valuation, when constructed or acquired, from ad valorem taxation for a term of ten (10) calendar years beginning in the calendar year of completion of construction of the building and acquisition of all personal property identified above."

Commissioner Hattan moved to approve Ordinance No. 2580, seconded by Commissioner Robbins. Motion carried unanimously.

There being no further business, Mayor Bombardier moved to adjourn the meeting. Commissioner Hattan seconded the motion. Motion carried.

  
Philip Deneault  
Deputy City Clerk

(Seal)

PD:lf

The City Commission met in regular session on February 17, 1993 at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Bombardier presided with Commissioners Hattan and Robbins present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK-KCKS, Brad Lowell from The Blade-Empire, Bob Burns, Armand Balthazor, Damian Nobert, Ken Harrington, Sam Budreau, Jack P. Graves, Phil Deneault, Mel Waite, Ronald Hubert, Judith McKee, Shirley Gropp and David Erickson.

Minutes of the February 3, 1993 regular meeting and February 10, 1993 adjourned meetings were approved as read.

APPROPRIATION ORDINANCE No. 3

APPROVED

Appropriation Ordinance No. 3 was approved according to law.

ASSESSMENT HEARING (SS-92-2) (WEAVER/ALDRIDGE SANITARY SEWER)

HELD

Mayor Bombardier announced that this was 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:

One hundred forty feet (140') of sanitary sewer construction from an existing manhole in Block 23, extended ten feet (10') to Block 22, and servicing Lots 10 and 11 in Block 22, located within the City of Concordia, Cloud County, Kansas, according to the recorded plat thereof,

as authorized by resolution Numbered 1087 of this governing body adopted September 16, 1992, 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).

City Clerk Ferguson advised that Mr. Floyd Weaver and Mr. Robert Aldridge had come to her office prior to the meeting to discuss the assessment but had no objections.

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 Hattan, seconded by Commissioner Robbins and duly carried by the affirmative vote of all the members-elect 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.

ORDINANCE NO. 2581 (SS-92-2) (WEAVER/ALDRIDGE SANITARY SEWER)

PASSED

An ordinance entitled "AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENT THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF CONCORDIA, KANSAS" was read and considered by the Commission.

On roll call upon its passage, the following commissioners voted "Yea": Bombardier, Hattan and Robbins. "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. 2581.

RESOLUTIONS NO'S 1111 and 1112

NUISANCE ABATEMENTS

Mayor Bombardier stated that at this time a hearing before the Governing Body is convened as prescribed under Section 15-6, Code of the City of Cocrordia to consider whether nuisances exist at the following locations:

1. 6th and Valley Streets (Resolution 1111) - Bob Maple
2. 1214 Cedar (Resolution No. 1112) - Larry Perry

Police Chief Sam Budreau advised the Commission that he had had the special services officer check these locations prior to the meeting and found that little had been done to abate the nuisances. He felt that a two week extension would be in order due to the weather. Following discussion, City Manager Nienstedt presented to the Commission resolutio

and requiring removal and/or abatements. The Commission considered the resolutions after which the following motions were made:

Resolution No. 1111, Commissioner Hattan moved, seconded by Commissioner Robbins and duly carried to approve the resolution giving a two weeks extension with the abatement to be completed by March 15, 1993.

Resolution No. 1112, Commissioner Hattan moved, seconded by Commissioner Robbins and duly carried to approve the resolution giving a two weeks extension with the abatement to be completed by March 15, 1993.

CDBG HEARING DATE SET

MARCH 3, 1993

City Manager Nienstedt advised the Commission that in order to submit an application for CDBG grant funds, a hearing date needed to be set to hear from the public any projects that could meet the requirements of CDBG. City Manager Nienstedt wondered if the Commission had any other ideas other than the sanitary sewer project that we've applied for in the past. Commissioner Hattan wanted to know what happened last time that we didn't get funded for the sanitary sewer project. City Manager Nienstedt said the City came within 1 point.

Administrative Assistant Mel Waite said the LMI (Low & Moderate Income) criteria limits where we can go with a project. He said the City had also looked at paving Third Street.

Following a discussion, Commissioner Hattan suggested the date of March 3, 1993, at 4:15 p.m. for the hearing. Commissioner Robbins seconded. Motion carried.

HILL STREET DISCUSSION

City Manager Nienstedt advised the Commission that a group of residents of Rolling Hills had met last Sunday to discuss participation in improving Hill Street. Phil Deneault was present at the meeting to discuss this meeting. Mr. Deneault said that 14 residents had signed up to enter into an agreement with the City for sharing the costs of improving this street.

Commissioner Hattan wondered about the improvement going from the present blacktop surface around the cemetery. Mr. Deneault said that if the petition to improve Hill Street is not successful, then the residents of Rolling Hills would be interested in the alternative of going around the south side of the cemetery.

Commissioner Hattan said that he wanted to summarize the priorities and asked if this was correct:

- 1) 14 to 19 people are interested.
- 2) The residents will participate at 25%.
- 3) Hill Street is first preference.
- 4) South side of Catholic Cemetery is an alternate.

He said that the city manager had worked up some cost estimates for this project.

City Manager Nienstedt said that he and City Attorney Retter now needed some direction from the Commission.

City Attorney Retter suggested there were some alternative ways for a sufficient petition. He said you can have a sufficient petition by the number of resident owners using 51% of those owners. Also a petition is proved sufficient if 51% of the property involved has been signed for by the owners. He said that the City has traditionally required both.

Commissioner Hattan wanted to know if we have a commitment from the County to help with this. City Manager Nienstedt said the County has committed to help.

Commissioner Hattan said that it was his understanding that the County did not want Hill Street back.

City Attorney Retter said that if the Hill Street petition doesn't go, we'll have to go back to Square 1.

Ron Hubert questioned the amounts he had heard that would be required from the Rolling Hills residents. He said he had heard all the way from \$150.00 to \$350.00. He was interested in participating but not at the \$350.00 amount.

Following discussion, the Commission directed the City Manager to notify the Hill Street

CITY MANAGER'S COMMENTS

City Manager informed the Commission that the City had received \$63,000 from the Urgent Need Grant drawdown.

Fire Chief Jack Graves and Assistant Chief Bob Burns were present to show the Commission a plaque they had designed giving recognition for training that individuals have put in. Chief Graves said that those persons willing to get 75 hours of training per year would get their names engraved on the plaque. The plaque is to provide an incentive to stay with the department once the training requirements have been met. He said that Ass't Chief Burns had designed the plaque and Mr. Burns brought it to the meeting to show the Commission.

COMMISSIONERS COMMENTS

Commissioner Robbins wanted to know what the status was on the mountain of brush that had been piled up as a result of the July 8th storm. Richard said the City was waiting on bids for chipping.

Commissioner Robbins wanted to know what the estimated cost of the chipping might be. Richard said approximately \$15,000.00. Commissioner Robbins said he felt the City should burn the brush pile and save the \$15,000.00. Mr. Nienstedt said he had some concerns about burning the brush because of smoke damage and the fact he didn't think it would burn quickly and weather conditions could change.

After much discussion about costs and other problems associated with the burning, Commissioner Robbins said that the city had a full time fire department and he felt we could burn it.

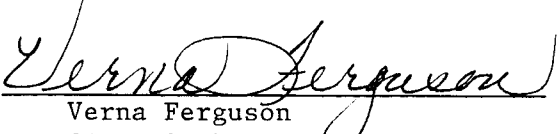
Armand Balthazor wanted to know if people could get firewood out of the piles. Richard said they could if they got permission from Tom Fisher.

STUDY SESSION

DATE SET

The Commission set the date of February 24th at 5:30 p.m. as the next study session.

There being no further business, Commissioner Bombardier moved to adjourn the meeting. Commissioner Hattan seconded. Motion carried.

  
Verna Ferguson  
City Clerk

(Seal)

The City Commission met in regular session at 4:00 o'clock p.m. on March 3, 1993, in the City Commission Room in the City Hall. Mayor Bombardier presided with Commissioners Hattan and Robbins present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson, City Attorney Retter.

Visitors present: Brad Lowell from The Blade-Empire, Joe Jindra from KNCK-KCKS, Kirk G. Lowell, Laurel Rickard, Liz Rickard, Mel Waite, Mike Andersen, Judith A. McKee, Sam Budreau, Bud Meisel, Armand Balthazor, Damian Nobert, Earl Lash, Ed Hamel, Abe Smith, Darrel Barnett, Terri Harris, Armand Racette, Jack Graves, Rachel Cottam and Heather Herbin.

Minutes of the February 17, 1993, meeting were approved as written.

APPROPRIATION ORDINANCE NO. 4

APPROVED

Appropriation Ordinance No. 4 was approved according to law.

JEAN DAY PROCLAMATION

Bud Meisel, Heather Herbin, Abe Smith and Darrel Barnett were present to ask the City's cooperation in proclaiming March 12, 1993, as Jean Day and that employer's allow those employees who wish to participate to pay \$1.00 for the privilege of wearing jeans on that day. The money will be turned over to Citizens National Bank who will match it up to \$1,000.00 and this money will be used to sponsor the band's trip to Washington, D.C. Mr. Meisel said the band kids have raised \$58,000 so far to D.C. but they need another \$2,000.00 to reach their goal. They will be leaving Sunday, March 21st, on the bus, straight through to D.C. They will perform Tuesday at the Pentagon, Wednesday at the Nation's Capitol, play in front of the Lincoln Memorial and then home on Thursday. They will arrive on Friday. Each business will put a sign of participation in their window if their employees will participate.

HILL STREET DISCUSSION

City Manager Nienstedt said that he had met with the residents of Hill Street and a petition has been given to a resident for circulation. He said the persons attending the meeting had questions on both sides of the issue. When the petition is returned, the discussion of Hill Street improvements can continue.

CDBG GRANT HEARING

HELD

City Manager Nienstedt advised the Commission that this was the first of two public hearings required to submit an application for funding for CDBG funds. The Mayor asked if anyone had any comments. There were no comments from the public. Mel Waite, Director of Utilities, presented a map. Mr. Waite said that 51% of the beneficiaries living in a project area have to meet LMI requirements. If the Commission has no objections, the City will again make an application for a grant for a sanitary sewer system in the northeast part of town. Following discussion, Commissioner Hattan moved to close the public hearing. Commissioner Robbins seconded. Motion carried.

CDBG GRANT HEARING

DATE SET

Following discussion of the above, Commissioner Robbins moved to set the date of March 17, 1993, for the CDBG application hearing. Commissioner Bombardier seconded. Motion carried.

CLOUD COUNTY CO-OP ELEVATOR IRB BOND RETIREMENT

EXPLAINED

City Attorney Retter informed the Commission about Co-Op Elevator's request to pay off their Industrial Revenue Bonds (IRB's) early. Mr. Retter said he had the documents ready for Darrell Nelson to present to his Board of Directors. Mr. Nelson is to meet with his board on March 10th. Following discussion, Commissioner Hattan moved to defer action on this issue until we had received information from the Co-Op Board of Directors. Commissioner Robbins seconded. Motion carried.



AMBULANCE CHARGE-OFFS (JANUARY 1, to JUNE 30, 1992)

APPROVED

The City Manager submitted the semi-annual listing of ambulance charge-off accounts. The total amount to be charged off for January 1 through June 30, 1992 period is \$9,941.23. The percent of runs that are Medicare related is 63% of the total runs. The amount of charged off accounts is 32% of the dollar amount billed which is 3% less than the previous six-month period.

Following a brief discussion, Commissioner Hattan moved to approve the charge-off lists as submitted. Commissioner Bombardier seconded. Motion carried.

PUBLIC COMMENTS

Armand Balthazor asked about the chipping of the wood pile from the July 8th storm. City Manager Nienstedt said the City had taken bids on chipping and it was too expensive. He said the piles would be burned.

Kirk Lowell asked about Hill Street. He said that he didn't have a problem with fixing Hill Street....he said he felt it should be fixed. He said he did have a problem with the city-at-large paying for it. He presented two hand-outs to each of the Commissioners. Kirk went on to say that he had read an article in the Blade-Empire about Hill Street and that one of the residents along Hill Street had felt the city-at-large should pay for the improvement. He said that later he had read a letter to the Editor from Eldon Wisdom correcting the Blade-Empire. Mr. Lowell then stated that he came to City Hall and requested copies of the minutes of that Study Session, said study session held January 13, 1993, and those minutes confirmed the article he had read in the Blade-Empire. Kirk said he felt that this person is coming to the meeting requesting taxes to benefit himself.

Armand Balthazor said that Mr. Wisdom didn't say that Hill Street should be paid for by the city-at-large.

Commissioner Hattan said that Mr. Wisdom did, in fact, say that. Commissioner Robbins said that Eldon Wisdom said that Hill Street was a major artery.

Kirk said that if he had made such a statement, he would be judged very seriously.

Armand Balthazor felt that Kirk was being political. Kirk said he was. Kirk said that he felt persons running for office should be held to pretty high standards.

Commissioner Robbins said that Mr. Wisdom did ask the city-at-large to pay for Hill Street improvements thinking Hill Street was a major thoroughfare.

Commissioner Hattan said over the years the project has evolved--we now have a petition out. When the petition is returned we'll see what interest there is in pursuing it. The City, at this time, isn't committed to anything--just like anyone who wants something done, we're trying to find out how much support there is to pay for it.

Kirk wanted to know how many special assessments we have out there. Greg said that he would have to ask Verna (Ferguson).

Kirk wanted to know about the fenced in property out there.

Greg said in order to determine property lines out there, the City would have to have it surveyed at some point. If we do any action, we'll have to find out where Mr. Wisdom's property is.

Kirk said that in this community - everybody should be held to high standards and he hoped that he had been respectful.

Commissioner Robbins then changed the subject referring to Broadway Street. He wanted to know if there had been any work done on Broadway to Wal-Mart parking lot. We need to be able to get into Wal-Mart from the north.

Commissioner Bombardier said the City has been studying this Broadway street situation for 4 years. Mostly...we need money.

Commissioner Hattan also noted that we need the right-of-way to get through there.

City Manager Nienstedt said that in the past 4 years, the City has talked with KDOT and the Convent. Commissioner Hattan said that Ed Detrixhe also owns property there.

Everyone involved in the discussion admitted to the need for Broadway Street to access the Wal-Mart parking lot, but there remains the problems of building a street big enough for two-way traffic, obtaining right-of-way, permission from KDOT, and money to finance the project.

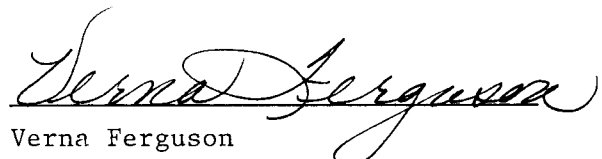
WORK SESSION

DATE SET

The Commission set March 10, 1993, at 5:30 p.m. as the next Work session.

There being no further business, Commissioner Bombardier moved to adjourn the meeting. Commissioner Robbins seconded. Motion carried.

(seal)

  
Verna Ferguson  
City Clerk

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 17, 1993

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The City Commission met in regular session on March 17, 1993, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Bombardier presided with Commissioner Hattan present. Absent: Commissioner Robbins.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK/KCKS; Brad Lowell from the Blade-Empire; Eldon Wisdom, Kirk G. Lowell, Lillian Johnson, Brad Hopkins, Earl Lash, Tiffani Slater, Sheri Novlan, Judith McKee, Gail Engle, Michelle Budreau, Mel Waite, Sam Budreau, J Trost, Armand Balthazor, Darrell Nelson, Mary Dean Nelson, Stacie Bombardier, Donna Saunders, Jack Graves, Sharon Pendergrass and Vance Braun.

Minutes of the March 3, 1993, meeting were approved as written.

APPROPRIATION ORDINANCE NO. 5

APPROVED

Appropriation Ordinance No. 5 was approved according to law.

PROCLAMATION

ARBOR DAY

Judith A. McKee, Lillian Johnson and J. Trost were present to encourage the Commission to proclaim March 26, 1993, as Arbor Day. The Mayor read and signed the Proclamation. Ms. McKee reported that the City's Tree Board met last week and went over the requirements for the "American the Beautiful" program. Also, there are some high school students looking at this project.

CO-OP ELEVATOR IRB PREPAYMENT

APPROVED

Darrell Nelson was present from Cloud County Co-op Elevator to answer any questions the Commission might have regarding their request to pay off their IRB issue early. City Attorney Retter explained their "in-lieu" of taxes payment which requires the City to maintain ownership of the facility as long as this situation exists. They pay \$6,000 "in lieu" of taxes per year. This \$6,000 is spread among the various government entities proportionately.

Mr. Retter further explained that Co-op needs authorization from the City to call their bonds early. Co-op is requesting the continuation of the lease arrangement to take advantage of the partial tax exemption. Upon the authorization for this arrangement, the City staff will take over the trustee duties until 1995 when the facility will be placed on the tax rolls. This arrangement will require a Trustee Agreement.

Mr. Nelson explained this was strictly a business decision.

Following discussion, Commissioner Hattan moved to authorize the Mayor and City Clerk to execute all the necessary documents and take any necessary action in connection with the early redemption of the bonds. Commissioner Bombardier seconded. Motion carried.

CDBG PUBLIC HEARING (SANITARY SEWER EXTENSION)

HELD

Mayor Bombardier announced that a public hearing was now being held to address a Community Development Block Grant application for sanitary sewer improvements in the north part of town. Administrative Assistant Mel Waite was the one present to provide information on the 1993 application for community development block grant funds. No one else was present to offer suggestions for inclusion in the grant application.

Following a brief discussion, Commissioner Hattan moved to close the hearing. Commissioner Bombardier seconded. Motion carried.

CDBG GRANT APPLICATION (SANITARY SEWER IMPROVEMENTS)

AUTHORIZED

Following the above hearing, Commissioner Hattan moved that the Mayor and City Clerk be authorized to submit an application for CDBG funds to fund the sanitary sewer improvements in the north part of town. Commissioner Bombardier seconded. Motion carried.

APPOINTMENTS TO THE BOARD OF ZONING APPEALS

LUANN MILLER  
CLARK TALLEY

City Manager Nienstedt advised the Commission that Clark Talley and Luann Miller had been contacted and had agreed to serve another 3-year term on the Board of Zoning Appeals with their terms to expire January 19, 1996. Commissioner Bombardier moved to appoint Luann Miller and Clark Talley to another 3 year term on the Board of Zoning Appeals. Commissioner Hattan seconded. Motion carried.

APPOINTMENTS TO THE FRANK CARLSON LIBRARY BOARD

DOUGLAS HERMAN  
MARILYN JOHNSTON

City Manager Nienstedt advised that Doug Herman and Marilyn Johnston had been recommended by the Library Board to serve another 4-year term. Commissioner Hattan moved that Doug Herman and Marilyn Johnston be appointed to serve another 4-year term on the Frank Carlson Library Board with their terms to expire April 30, 1997. Commissioner Bombardier seconded. Motion carried.

NUISANCE ABATEMENT HEARINGS

NO ACTION REQUIRED

Both Nuisance Abatement hearings scheduled for today were cancelled because the nuisances had been taken care of.

PUBLIC COMMENTS

Armand Balthazor suggested the pool expenses be put on the next Study Session. Mr. Nienstedt said the City had been looking at ways of cutting costs such as shortening the hours the Pool was open. Commisisoner Hattan said the matter would be put on the agenda for next week's study session.

HILL STREET DISCUSSION

Vance "Dutch" Braun was present at the meeting to discuss Hill Street improvements. He said he had an "amended" petition. He read a statement that he had prepared which basically stated that the owners of Hill Street felt they should only have to pay to the middle of the street, not the entire street. After reading the statement, Commissioner Hattan summarized as follows:

- 1) You have changed the amounts. You and Pendergrass are the only residents to sign the original petition.
- 2) The other people won't sign the petition until the amounts are lowered,
- 3) The people feel they only owe to the middle of the street,
- 4) Swenson's are for the project, but don't want to pay. Swenson will pay 1/15th of 25%?

Brad Hopkins, a resident of Rolling Hills, said he thought Swenson was for the project and wanted to participate with the Rolling Hills residents.

Eldon Wisdom said the east side of the street was of no benefit to him, but he would participate with other residents on the west side.

Following a lengthy discussion, City Attorney Retter said they would recompute the benefit district's numbers. He said that the City could commit to 95% of a project within the City using K.S.A. 12-6a01. Several methods can be used, square feet, lineal feet, etc. The City would come up with something that is fair.

Commissioner Hattan affirmed that Richard and David would work up some new numbers.

David wanted clarification on percentages from the various property owners.

Brad Hopkins said that Rolling Hills residents were committed to \$5,000 or approximately 25% of the \$29,000 project.

City Attorney Retter said that Development Agreements will be prepared for the Rolling Hills residents.

HOUSE NUMBERS PROGRAM

City Manager Nienstedt said that the Fire Department had been working with some Civic groups to promote the use of clear house numbers to be placed on each residence in town that don't have them up already. So far the Rotary Club and Boy Scouts have been involved in the program.

BURNING BRUSH PILES, STREETS AND ALLEYS

City Manager Nienstedt said that he had called the Kansas Department of Health and Environment about burning the brush piles down by the City yards. KDHE advised the City must first obtain a burning permit. Also we have to notify everyone within 1500 feet of the piles.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 17, 1993 (CONTINUED)

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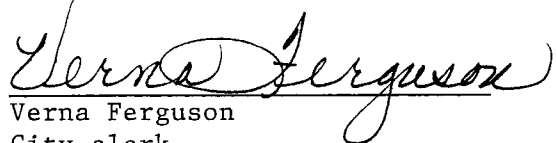
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Mr. Nienstedt showed a map that had been developed by Director of Streets Tom Fisher, which showed the streets and alleys that needed repair. He said the costs he was showing were just for materials. Costs are as follows:

|            |                    |
|------------|--------------------|
| 14 Streets | \$14,064.45        |
| 26 Alleys  | <u>\$ 5,405.20</u> |
|            | \$19,469.65        |

He said to keep in mind these are only asphalt costs, no labor.

There being no further business, Commissioner Bombardier moved to adjourn this meeting until 5:30 on March 24, 1993, to finalize the application on the CDBG Grant, with a Study Session to immediately follow. Commissioner Hattan seconded. Motion carried.

  
Verna Ferguson  
City clerk

(Seal)

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD March 24, 1993

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The City Commission met in adjourned session at 5:30 o'clock p.m. on March 24, 1993, in the City Commission Room in the City Hall. Mayor Bombardier presided with Commissioners Hattan and Robbins present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Brad Hopkins from The Blade-Empire, Earl Lash, Brad Hopkins, Joy Hopkins, Julie Williams, Mel Waite, Judith McKee, Kirk G. Lowell, Armand Balthazor, Shirley Gropp, Walt Huber, Joe Hamel, Lou Frohardt, Damian Nobert, Vance Braun, Ima Jean Chavey, Susie Haver, Armand Racette and Eldon Wisdom.

COMMUNITY DEVELOPMENT BLCOK GRANT HEARING

SECOND HEARING HELD

The City Manager announced that this was the second hearing held on application for Community Development Block Grant Funds for 1993. There was no one present at the hearing.

The City has made 5 applications for funds to construct a sanitary sewer in the alley located in Blocks 186, 187, 188, 189, 190 and 191 within the City of Concordia. The application is for \$199,965. The Grant funds requested are \$119,979 with the City participating in the amount of \$79,986.

Following discussion on the Community Development Block Grant, Commissioner Hattan moved to close the hearing. Commissioner Robbins seconded. Motion carried.

RESOLUTION NO. 1113 (COMMUNITY DEVELOPMENT BLOCK GRANT)

APPROVED

Administrative Assistant Mel Waite presented Resolution No. 1113 to the Commission for their approval. This resolution authorizes the City to apply for \$119,979 in grant funds to provide sanitary sewer lines in the alley located in Blocks 186, 187, 188, 189, 190 and 191 within the City of Concordia. This resolution also commits the City to \$79,986. Mr. Waite explained that this application is almost identical to past applications with all the cost figures updated.

Following discussion, Commissioner Hattan moved to approve Resolution No. 1113. Commissioner Robbins seconded. Motion carried.

RESOLUTION NO. 1114 (ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE)

APPROVED

Administrative Assistant Mel Waite then presented Resolution No. 1114 to the Commission for their approval. This resolution provides that any persons displaced from their homes as a result of activities assisted with funds provided under the Housing and Community Development Act of 1974 shall be provided within 3 years of commencement of the demolition or rehabilitation relating to conversion or relocation.

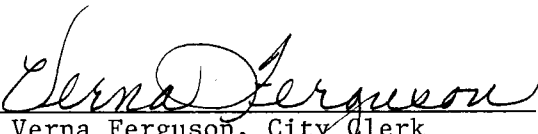
Following discussion, Commissioner Hattan moved to approve Resolution No. 1114. Commissioner Robbins seconded. Motion carried.

NUISANCE ABATEMENT ASSESSMENT

REQUEST FOR FORGIVENESS

The City Manager submitted a request for forgiveness of assessment costs on clean-up done by the City on Lots 24, 25 and 26 in Block 159. The City Commissioners asked that more information be obtained so they could study the situation prior to the next meeting on April 7th. No action was taken at this time.

There being no further business, Commissioner Bombardier adjourned the meeting and advised everyone that the Work Session would begin immediately following this meeting. Commisisoner Robbins seconded. Motion carried.

  
Verna Ferguson, City Clerk

MINUTES OF REGULAR CITY COMMISSION MEETING HELD APRIL 7, 1993

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The City Commission met in regular session at 4:00 o'clock p.m. on April 7, 1993 in the City Commission Room in the City Hall. Mayor Bombardier presided with Commissioners Hattan and Robbins present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK/KCKS, Brad Lowell From The Blade-Empire, Mandy Kearn, P.J. Kearn, Tom Fisher, Mel Waite, Marshall Nienstedt, Robyn Nienstedt, Kirk Lowell, Brad Hopkins, Larry Blochlinger, Shirley Gropp, Mr. & Mrs. James Haskins, Bernard Newell, Joe & Ruth Fakler, Sam Budreau, Damian Nobert, Jack Genette, Sharon Jensen, Lou Frohardt, Larry Wright, Armand Balthazor, Jerome Sorell, Vince Crough, Larry S. Eubanks, Ezra Olson, Ross A. Olson, Jack Graves, Mary B. Pattan, Vance Braun, Dennis Johnson, Sharon Pendergrass, Dale Ferguson, Judith McKee, Joy Hopkins, Eldon Wisdom, Mike Womochil and Earl Lash.

Minutes of the March 17, 1993 and March 24, 1993, minutes were approved as written.

APPROPRIATION ORDINANCE NO. 6

APPROVED

Appropriation Ordinance No. 6 was approved according to law.

PARKING IMPROVEMENT NEEDED

NATIONAL GUARD ARMORY

Ross Olson, Larry Eubanks, Larry Wright and Mary Patton were present to request the City Commission consider improvement the parking around the National Guard Armory. Each cited various activities that occur out there such as the Hunting & Fishing Show, the Travel & Leisure Show as well as the many auctions and other activities that occur there that bring lots of people to the area.

Following a lengthy discussion about the benefits the community would derive from this improvement, Commissioner Hattan suggested the City Manager contact the Vo-Tech School in Beloit to possibly secure some help for this project.

Mary Pattan emphasized the fact that the restaurants and motels in town benefited as well as sales tax dollars being generated from these activities.

Larry Blochlinger, representing the Chamber of Commerce, voiced his approval of improving the parking area at the Armory.

HILL STREET IMPROVEMENTS

ACTION DELAYED

City Manager Nienstedt had prepared another apportionment estimate on Hill Street Improvements showing the Bonded Project at \$29,523.00 and Non-Bonded at \$22,296.00.

After a lengthy discussion in which the property owners along Hill Street still feel the 52.95% or the 59.57% is still too great for them, Commissioner Hattan suggested that the apportionment be changed so that each property owner would pay the same amount. The Commission requested the City Manager to prepare the new figures. Vance Braun said that he felt he could get a petition signed if the project were bonded because Graham and Young would sign if it is bonded. Mr. Braun also stated that he wants to see both sets of numbers, both bonded and unbonded.

PETITION ON CG-93-OLSON

ACCEPTED

City Manager Nienstedt presented to the Commission a petition for the removal and reconstruction of curb and gutter along State Street abutting on Lots 2, 3 and 4 in Block 51 and 20 feet of vacated 14th Street, all located within the City of Concordia, Cloud County, Kansas. City Manager Nienstedt advised that Harvey and Rosalee Olson, owners of the property, had signed it and that the petition was 100% sufficient. Commissioner Hattan moved to accept the petition. Commissioner Bombardier seconded. Motion carried.

RESOLUTION NO. 1115 AUTHORIZING CG-93-OLSON

APPROVED

City Attorney Retter presented to the Commission a resolution authorizing the removal and reconstruction of curb and gutter along property located on State Street abutting Lots 2, 3 and 4 in Block 51 and 20 feet of vacated 14th Street, located in the city of Concordia, Cloud County, Kansas, in the amount of \$3,612.50. The apportionment of cost on this project shall be 75% of the costs to be assessed to the benefit district and 25% assessed to the city-at-large.

Following discussion, Commissioner Robbins moved to approve Resolution No. 1115 authorizing CG-93-Olson. Commissioner Hattan seconded. Motion carried.

ENGINEER'S ESTIMATE OF COST FOR CG-93-OLSONAPPROVED

Motion was made by Commissioner Hattan, seconded by Commissioner Robbins and duly carried by unanimous vote to approve the Engineer's Estimate of Cost for the curb and gutter improvement projected located along State Street adjacent to Lots 2, 3 and 4 in Block 51 and 20 feet of vacated 14th Street located in the city of Concordia, Cloud County, Kansas, in the amount of \$3,612.50. The apportionment of cost on this project shall be 75% of the costs assessed to the benefit district and 25% assessed to the city-at-large.

SPORTS COMPLEX DISCUSSIONNO FEES

Dr. Joe Fakler led the discussion on whether or not fees should be charged at the Sports Complex. His first comment was that he felt that his tax dollars were well spent on this facility. He said there are parents going out there 4 or 5 times a week and to charge a fee would be spitting in the face of all the volunteers and sponsors who go out there all the time. He said hundreds of people go out there every evening. He said there are certain benefits we should get for our tax dollars and this is a good one. The Sports Complex and the swimming pool provide a safe haven for kids. If we did have to collect a fee, the City would have to pay someone to stand there and take the tickets. He concluded by saying that he is for the youth of this community and did not want to the City to impede the use of the facilities for the youth.

Sharon Jensen, another long time volunteer at the Sports Complex, asked the Commission to stop and think about how many kids have participated out there. We have a good system going she said. She felt the gate fee would keep young people who couldn't afford it from participating in the programs. She said she could remember when only kids with money got to play and now every kid in the community has the opportunity to play.

Vince Crough said he agreed with what Joe and Sharon said. He said that Complex does a lot of good for adults and kids. He said the Complex did more for kids than just to let them play ball. They can have fun out there and he knew that some kids out there who needed counseling got help right out there at the Complex. He said there are many businesses in this town that support this Complex.

Dennis Johnson said that Complex should be free to everyone.

Marshall Nienstedt suggested that if the City raised the prices, some kids can't afford to go out there. He said the Complex activities keeps them out of trouble.

Jerome Sorell said he was speaking on behalf of the American Legion. That these two teams play all over the State and they have never been charged to get into a facility.

Kirk Lowell reminded the Commission that young people, such as he and his wife, pay taxes too and we need those activities out there for the kids.

Larry Blochlinger said the facility benefits all the youth. The Pool and the Sports Complex. He said he would not be in favor of charging a fee.

Lou Frohardt said he has coached baseball in 3 towns. None of them have charged admission.

Bernard Newell commented that even senior citizens on fixed incomes go out there. It is a place for them to go.

Jack Gennette said he agreed with everyone's comments. He said young adults are real vulnerable and it is a good place for them to go.

Armand Balthazor said he thought everyone was right but he still felt that a small charge could be made.

Dennis Johnson said "That's Crazy to charge for kids to go out there".

Armand Balthazor said he wasn't against the sports complex or the swimming pool, he just didn't like the way they were operated. He felt parents should umpire the ball games.

Vince Crough said that times have changed. Liability risks are greater. People are too willing to sue. And further, "We do work to keep the taxes down".

Damian Nobert said he didn't think the costs should be increased at the Sports Complex or at the swimming pool. Don't penalize the kids.

Commissioner Robbins said that when kids go to the pool, they aren't the ones who pay. Their folks do. He went on to provide a newspaper article which stated that Cloud County is the 3rd oldest county in the U. S. He said that his sons had to move out of Concordia to make a living. Taxes are too high here and they are getting higher. If folks have kids, they have to pay for the facilities they use. The concession stand should be run by the City. The fields should be cleaned up by the players the next day. With 1 out of 4 people in Cloud County being retired, they can't afford these things. In Jamestown his grandson pays \$10.00 to play ball. The City paid out \$13,000 for umpires last year, that's too much.



Vince Crough said the majority of this town has already volunteered with their money and their hours. A lot of people have supported that facility.

Commissioner Robbins said that he was for these facilities but it is too much of a burden to people who aren't involved.

Sharon Jensen said We've got it now so every kid can play ball.

Vince said the Sponsors fees pay for their teams to play. \$2,000 for some of them.

Bernard Newell said that he felt the numbers of the elderly in the newspaper could be misleading.

Commissioner Hattan said he basically disagreed with everything that LaVern had said although he disagreed respectfully. He commented on his own son's team sponsors and their expenses. People out there are putting thousands of dollars into that facility. He offered a challenge to anyone or anything that gives more to this community and that he would never support a charge at the Sports Complex.

Vince Crough said the Complex generates a lot of revenue in this town. When tournaments are played here, the motels are full, people spend money at the motels, etc. the Community benefits.

Commissioner Bombardier said he has received many phone calls and people calling him didn't want to charge, and didn't want to change the pool hours.

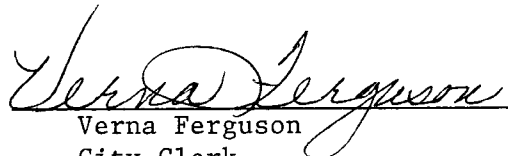
Dennis Johnson told about when his girls, ages 8 and 11, needed gloves. He knew about the Dochow fund and was able to get his girls' gloves through that fund. They were proud little girls to get those gloves.

Sharon Jensen talked about working together. That this community could learn from last year. Everything stopped on July 8th. The storm ended a lot of tournaments that would have been held out there. Let's not judge from last year.

After further discussion, Commissioner Hattan moved to charge no fees at the Sports Complex. Commissioner Bombardier seconded. Commissioner Robbins voted No. Motion carried by two-thirds majority.

Commissioner Robbins requested one more statement. Said constructive criticism accepted. He said he had about 45 minutes discussion on the swimming pool. He said he has a list of things he would like to see implemented.

Commissioner Hattan moved to adjourn the meeting until 5:30 p.m. on April 14, 1993. Commission Bombardier seconded. Motion carried.

  
Verna Ferguson  
City Clerk

(Seal)

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The City Commission met in adjourned session on April 14, 1993, at 5:30 o'clock p.m. in the City Commission Room in the City Hall.

Mayor Bombardier presided with Commissioners Hattan and Robbins present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Brad Lowell from The Blade-Empire, Joe Jindra from KNCK/KCKS, Diann Ruzicka, Zella Moore, Dianne Paquette, Marcia Pounds, Janice Kline, Susan Retter, Suzy Tuggle, Mike Womochil, Richard Lowrey, Roberta Lowrey, Reuben Lowrey, Bernard Newell, Jennifer Lowell, April Girard, Heather Lowell, Janet Lowell, Sam Budreau, Lou Frohardt, Kevin Campbell, Donna Budreau, Marsha Miller, Larry Miller, Vickie Graves, Pat Murk, LaDonna Peltier, Mel Waite, Gary Bogart, Shirley Esslinger, Bron Hutchinson, Vince Crough, Angel Kerr, Jim Kerr, Joe Strecker, Shirley LeDuc, Jared LeDuc, Mike Carey, Marshall Nienstedt, Robyn Nienstedt, Robert Ruzicka, Kirk G. Lowell, Barbara Kerr, Sharon Jensen, Gene Kearn, Denise R. Bisnette, Damian Nobert, Debbie Wellendorf, Debby Bartz, Boyd Dochow, Nancy Molter, Judith A. McKee, Denise Stover, Steve Longfellow, Bobbie Longfellow, Fedora M. Nobert, Maryjo Stortz, Peggy Doyen, Harriet Wahl, Richard Wahl, Marlene Miller, Everett Miller, Shelly Farha, Brad Hopkins, Ron Elniff, Eldon Wisdom, Les Hemphill, Cindy Myers, Ritchie M. Hogue, Doug Rogers, Ramona Derousseau, Armand Balthazor, Ted Collins, Nancy Collins, Mike Newton, Susan Newton, Dale Ferguson, Jack Graves, Sherry Walton, Shane Walton, Shirley Gropp, Jim Coppoc, Rachele Horkman, Jean Reinwald, Steve Champlin, Tim Wellendorf, Kevin Pounds, Galen L. Weick, Kathy Funk, Jerry J. Kinser, Lynn Ahrends, Scott W. Coppoc, Tom McLaughlin, Richard Radcliffe, Albert Callaway, Mike Miller and Diane Carey.

#### PROCLAMATION

#### BUDDY POPPY DAY

Fedora Nobert and Maryjo Stortz were present to request the Commission to proclaim April 17, 1993, as the annual VFW Buddy Poppy Day. The Mayor read the proclamation and then signed it.

#### SWIMMING POOL OPERATION DISCUSSION

#### HOURS AND PRICES UNCHANGED

Commissioner Robbins opened the discussion by proposing changes in the operation of the swimming pool. He commented that he had never seen this place so full and he wished this many people came to every city commission meeting. He said we have a democratic society here in this little town and the commission is supposed to respond to the people's wishes.

Mr. Robbins had put together a two page list of recommendations regarding the pool operation. He presented a copy to the city manager and the other two commissioners. The first list showed a slight increase in admission prices to keep up with inflation. The second sheet showed a bigger savings.

On the first list a child 5 to 12 would be raised a quarter, adult would be raised a quarter and the teens would be included with the adults. A season ticket would go from \$25.00 to \$30.00 on a child, an adult from \$30.00 to \$40.00 and on a family from \$50.00 to \$60.00. Private parties would go from \$45.00 to \$50.00, Noon swim from fifty cents to a buck. Noon season tickets \$15.00 and a ten ticket pass from \$10.00 to \$12.50, and a child 12 and under \$8.50. Commissioner Robbins felt this is a modest increase to keep up with inflation or the cost of new lifeguards. He asked for comments from the visitors. Nancy Collins asked what he felt could be "made up" or saved by these recommendations. Commissioners Robbins said approximately \$2,000.00 but it depended on the summer. She asked what the deficit was to operate the pool last year. Commissioners Robbins stated that it was \$34,000.00. He went on to say that "Everything comes up every year..... your labor, your chemicals, your materials". He felt this was a modest increase. He said he hadn't looked into the wages of the lifeguards because he had no conflict with that. He said that last year was not a good time to use a yard stick because it was a cold, wet summer and it could be the same this year.

A gentleman in the back of the room asked when the last increase occurred. Commissioner Hattan said it had been at least 5 years ago. Commissioner Hattan went on to say that a junior-senior student pays \$1.00, adults pay a \$1.25 but with Commissioner Robbins' recommendation once you became 12 you became an adult. So it would be a fifty cent increase on the 12 to 17 age group and a quarter on the adults.

Lou Frohardt referred to a report he had prepared which showed a daily savings of \$26.00 by closing early an hour. He said he would appreciate it if Mr. Robbins would give everyone the "whole thing" and then he could respond more intelligently. If you're giving us alternatives, it will be hard to know how to respond without the whole thing.

Commissioner Robbins said he was hoping to focus the discussion on the first one but I would be glad to give the whole report.

Jean Reinwald said that before they discussed prices at the pool she wanted to know if they were going to cut the hours. She thought that had a lot to do with the prices too.

Commissioner Robbins said that was also a point. He said that if the hours were cut an hour it would also save about \$2,000.00 - in that neighborhood. It depends on the summer.

Mike Womochil wanted to know how many family passes are sold.

Commissioner Hattan responded saying that last year was a down year- we had about half the attendance. The peak year was 40,000 people and last year it was a little over 20,000 - mainly due to the storm. An average year would be somewhere between 30,000 and 33,000. Last year we sold 112 family season tickets, 35 child and youth, 4 adult and 1 Noon swim season pass. We sold an additional 38 at half price. Last year we had 20,000 general attendance and generally we have 50% more than that. Last year was an unusually low attendance year for us he said.

Another lady asked what could be saved by cutting back on the hours. Commissioner Robbins said it would save mostly on the hired help. She wanted to know what the savings would be approximately.

Using Mr. Frohardt's \$26.60, he said the pool would be open approximately 86 days. The approximate savings would be \$2,200.00.

Ron Elniff stated that he didn't have a problem with raising the family rates saying that he had a family of 3 and they lived close to the pool, but he would have a problem with the teen rate. In essence you are moving teens to adults so a 13 year old is considered an adult. What would it cost that teen?

Commissioner Hattan said it would raise from \$1.00 to \$1.50. Commissioner Robbins replied that it would be raised fifty cents.

Kirk Lowell wanted to know how competitive these rates were with surrounding communities. Commissioner Robbins said he had a list of towns around that have pools and had a price on them. Mostly it depended on the size of the pool. Here it has the information. Mr. Robbins then read the statistics on a report prepared by the front office. This report is available at the Clerk's office.

Mike Newton said the deficit was \$34,000.00 last year?

Commissioner Hattan said that is the difference between what we took in and what we spent. Mr. Newton then wanted to know how that compared with years prior to this. Last year we had the storm and drainage problems.

Commissioner Robbins said that he was sure that the year before was better. He said when the summer is hot and dry, the attendance was "way up".

Mr. Newton wanted to know what a five year average was.

Commissioner Hattan said he wanted to respond to that but first he wanted to remind everyone the reason Beloit's was \$1.50 for everyone. He said that price was raised to that when they put the water slide in. In response to what other cities lose, he said the \$34,000 was a little bit high for us but our losses go from the low at Abilene who lost \$10,000 to Garden City who lost \$81,000. Mr. Newton wanted to know how we compared the last few years.

Commissioner Hattan:

The year before (1990) was \$29,000, in 1989 it was \$34,000, in 1988 it was \$18,000, that was the year we had 40,000 people. The last couple of years the pool is getting old, we have had increased maintenance, we've had a leak and we've had some problems with the pumps, we changed over to a different way to get cleaner water so we have been making improvements. The revenues is where the big difference is. In 88 we had \$28,000, in 89 we had \$22,000 and last year we had \$16,000. The cost (of running the pool) has been held pretty constant. In other words what is costs to operate the pool is pretty consistent. The revenue varies by how hot it is. I can't say there would be a big cut in expenditures because the pool is getting older and it requires more maintenance than it did in the earlier years.

Doug Rogers said he had two comments. One you're talking about a small price increase to cover inflation. On teens that is 50% on the adult and on the family season pass that is 20%. That's hardly a small increase. Inflation has not been going up 20%. If there is a reason for that increase - that's fine, but I personally would not call it small increase. Another thing, I have lived in other communities and Concordia's pool is open less hours than any other I've ever lived in. An adult who likes to go swim after work and if you cut back the evening hours, that's already pretty short. There is already a limited amount of time.

Ramona Derousseau said she would like to comment. She said she has served on several committees in this community trying to find things for our teenagers to do and we don't have any more money to put into new programs so I really strongly feel that we should not put any more barriers up for our young people. We have an excellent pool... it's a good alternative for our teenagers. I don't think we should increase their rates at the pool because we don't have enough out there for them now. (Applause)

Judge Wahl said he would like to inquire why we have the pool.. Is it to make money or surely can't be to make money. It is to furnish activities as the lady over here is saying for, particularly the children, and for adults who want to do it. They are not intended to make money. I won't quibble with the raises. I'm not speaking to the one way or the other, but as far as the hours are concerned, it is being terribly mismanaged. I say we're doing a big thing by saving \$22 or \$25 a day and turning the kids out of the street an hour earlier or wherever they go, but they've got to have something to do. Good Lord, if we can't support that, we'd better shut up shop. (Applause)

Commissioner Hattan suggested that Commissioner Robbins complete the second page of the report.

Commissioner Robbins then suggested that in Garden City, they have one assistant manager and one head lifeguard running the pool. Here we have two assistant managers. Here's another suggestion we have. The second suggestion is a head lifeguard and the park department, or the department that runs the park department could run the pool. Here, if we had a head lifeguard and one assistant manager like Garden City does, it would save \$3,374 and number two would save \$6,748.

Nancy Collins asked if the assistant managers were paid on an hourly basis like the lifeguards are or are they on a salary?

Commissioner Robbins asked Mr. Nienstedt to answer that.

City Manager Nienstedt stated that the managers are paid on a salary basis. Regardless of the number of hours they work, they are paid a salary. That includes getting called out in the middle of the night when they have problems down at the pool. They are not on an hourly rate.

Kirk Lowell asked if this plan would have a mature adult at the pool all the time or is it now? In other words, would the head lifeguard be an adult?

Lou Frohardt said he didn't want to speak to the money but he would like to say. You can save money running the pool, he said, but this plan won't work because we've tried it before. When we first opened the pool we tried one head lifeguard, and one assistant manager. We don't call ourselves assistant managers, we are co-managers. The difference between the Garden City pool and our pool is the arrangement of it. We don't have any duplication to the point where we take a person off the tower and somebody else is watching the pool. Basically the manager's job is to watch the lifeguards... that's what we do. We also have to be there for routine maintenance and when a pump goes down, that situation is such that we have to backflow, like in the summertime, once a day. That can happen in the middle of the day or it can happen late. But if you've only got a head lifeguard and a manager, that person can't get down off the tower...and when the pump stops, the chemicals stop. You can get cheaper managers, I'm not saying that Bob and I are the only people who can do this. You can get cheaper managers. You're paying about \$8.15 an hour for us. You can do that. What you can't do is have the park department supervise a head lifeguard do two jobs at once. You can't do that. Why pay \$8.15 to us? That's up to you. Basically, what you'll be doing is paying for experience. I've seen a lot of things. I grew up on a farm and I threw bales and I worked my way through school. I've done cows, pumping gas and cleaning toilets, but the only job I've ever seen to compare to lifeguarding is roofing and roofing is harder. Lifeguarding is such a mental thing. You've got noise, you've got kids.... if you can imagine having your kids in your living room day long for 8 hours raising heck, and you're the one who has to discipline them, that's a hard job. It really is. And we try to get them (guards) as old as we can. But the wage is what we offer the guards and so we have to have a lot of 16 year olds. 16 year olds like to visit with other sixteen year olds and their boyfriends or girlfriends and so our job is to make sure they are doing their job. Now, can I guarantee there won't be any accidents? Can I guarantee they're always going to be perfect? I wish to hell I could because I think about it every day when I'm working down there. On the other hand we've got a pretty good record. You compare our record to other pools around here and I think you're going to find out that we just have an awful good record. But that's up to you. You decide who you want to work down there. But you're not going to be able to do it with either of these plans and be safe. If you want to hire people that's up to you.

Lou Frohardt continued....While I'm up here I'd like to say something else. You mentioned democracy. There's some things going on in this town with democracy that I would like to call your attention to. Democracy is kind of a messy form of government. It's really messy and inefficient in a lot of ways but its the best form and no worse than any other. As Churchill said, "It's the only one that isn't as bad as the others". It is a hard thing to work with but it seems to me it needs several things to make it work and one is respect. I'm a public employee and I don't mind being accountable. The fact is I kind of like being accountable because I take a lot of pride in what I do and it's nice to be able to show people what you do. But, this plan doesn't show much respect to the people who've been running this pool. I would think myself very arrogant if I drove by your place of business and told you how to run it. I would think that you would have every right to think that I was being disrespectful to you. Not to even to discuss it with you. Now you and I can disagree...anybody can disagree...but to present a plan without even discussing it with us, when it is not workable, in my opinion, doesn't show respect. We're getting an awful lot of this in this community. People who know everything about every body else's business. (Applause)

Lou continued....I have another point here Respect is absolutely essential in a democracy because democracy has only one thing to make it work and that is compromise and when you don't respect people, you drive them into corners. You drive them into absolutes. You drive them into hardened positions and democracy won't work unless there is compromise. It becomes untenable. The positions become so hardened that we use innuendo, we use half-truths, we use threats, we use anything we can to get our position. In a democracy a lot of things are going to happen that I don't like, but that's the price of living in a democracy. People have to compromise and that means respect.

Lou continued....One last thing and I'll shut up. I grew up around a lot of retired people that had a whole different sent of priorities than what I'm hearing here.... At our last meeting, Commissioner Hattan said that sales were up in Concordia. Commissioner Robbins says we're getting older and we're not a vital town. I think there are some false assumptions here. First of all, being retired doesn't mean you're poor. Statistics have changed since 1970. In 1970 in Kansas, about 23% of our retired people were below the poverty level. In 1990, that has canged to 10%. So we've seen through social security and other programs is an improvement in the ability of the retired person to buy. That's great. I think that's super. On the other hand, we've seen a helluva shift in income. From the people who are younger to the people who are older. And so when we say we can't afford to do these things because we've got elderly people, I say "Bring them in!". They are more likely to have money than others as far as Kansas is concerned and as far as statistics are concerned. Also, my folks are retired. They are well into their seventies. They live in a dinky little town and they do everything they can to keep that going. They just built a new swimming pool, they support a golf course, they support education. I think we do this town a disservice to say that we have an elderly population, that we're dying and going to blow away. I don't think that's true. You know, I can't speak for them, but the ones I know support the museum. Look at that. That is mostly retired persons. Look at Boston Corbett day. I see people out there at the college working on that every day. So I don't think we need to sell our elderly citizens short. (More applause).

Judge Wahl said it seems to me that we're missing the point of this whole discussion. I'm one of those elderly coots around here too and (laughter) and I'm very vital yet, but I would hate like sin to think, and I don't like paying taxes any better than the next guy, but I sure would hate to think that I saved three cents on my taxes and one child drowned in that pool because there were not enough guards....(applause). If we're going to be that penny wise and pound foolish, I go for closing the darned pool to begin with because it cannot be run that way. Safety should be the first feature, not saving a penny.

Nancy Collins said that as she walked in here tonight she saw a lot of people that are pool users including myself here. I think that any of us here that use the pool like to have our children go out and we know that it has been run very well and we have never had a question about safety there while these two gentlemen have been running it for us. It appalls me that perhaps the City Commission has not communicated with the employees about how we might economize for ideas that they have since they are the ones who have promoted safety for our children and have run a delightful facility for us in the years past. I think that probably their ideas need should be solicated and considered.

Commissioner Hattan said it would not come as a big surprise that the issue here is not whether we're going to raise the rates or how we run the pool. The problem here is on the commission as well as the community is an issue of vision. As a result, it is very difficult to set goals and priorities. I think many of you have read last week's paper where Commissioner Robbins made the statement where he thought Concordia was not a vital town and it was dying communtiy. As a result, he sees his role as the captain of a ship that is going to be decommissioned. As we start to scale back programs and we start to eliminate programs towards that day when we are no longer a viable community or like I say, a decommissioned ship. The problem that is .... people start to say, Why do we have youth programs, they'll be gone. Number 2, it turns the old against the young. It creates the impression there is a limited amount of revenue available and everyone is going to have to grab for the bone and number 3, it can also become a self-fulfilling prophecy.

We look downtown and maybe we see a business close and maybe some of our friends have moved out of town for some reason and we think the town is dying, and they think "I don't feel so good today" and we don't look at the businesses that have come and the increase in sales tax and the increase in building permits to see some of the things that we can do. This is not just on the city commission, it's in the community. I went to the Kansas forum and I'll give an example of the college forum. The questions I would have asked would have been "are we retaining and attracting good instructors? Are the students who leave here going to 4 year colleges and are they competing successfully? Are adults who come back to college for retraining able to get jobs? But what were the questions that were asked? Probably 90% of the time. Where are the basketball players coming from. You know completely ignored the future and the mission of the college, focusing on one small thing much as we're doing with swimming pool prices which is a very, very small part of our budget.

Commissioner Hattan continued...Let's go to the school board. You know we don't ask "do we retain or attract good instructors", "is the curriculum changing...we've had a lot of changes in the curriculum", nobody asks about technology that will provide jobs, nobody asks about this. What do they ask? "Where's the school and is it safe out there?" If you look at the votes, and you look at the two candidates that support the school at that site got almost exactly the same amount of votes as the school did and vice versa the other candidates and like I said, it's a tunnel vision. Okay, I'm against the school, I'm against them. Not how are the kids learning, is there a safe environment in school? Is it a positive experience for them? The people voting it down, that's their prerogative but I don't think that was the only issue.

Greg continued...That brings us, I guess, to the pool. Yes, we're losing money and what's new? We lose money on everything we do whether it's pool, street or whatever. Last week I opposed the charges at the ball fields because, like I said, we do make adults pay for their services. If you play softball, adult women's, volleyball or basketball, adults are paying a fee. We have not charged the children as we do have sponsors who buy uniforms and equipment up to \$2,000 a year to support those teams. Now the pool...in my opinion, we need a wide range of revenue sources. You know, property tax is variable as my neighbor can tell you, sometimes your property goes up considerably and other years, the value goes down. Sales tax...we've enjoyed the increase, but it could go down. So we try to get money from a wide amount of sources and try to unload the burden. I don't see anybody saying that I pay twice as much on my property taxes as you are, I should get my pool tickets for half price. That's the kind of defeatist mentality that is developing here. I don't use the pool, I'm being screwed, you should pay me. I'm saying no, I'm paying more, I'm not using the Senior Citizens Center, you should pay more. That is not my vision. My vision is, like I said, my family, well we have 3 generations in town here and I would think that we'd work together. I want the best for my parents, my father-in-law, my mother-in-law and they want what is best for my kids. And that is my vision. Four years ago, in 1988, the expenditures at the pool were \$46,000 and that year we had 40,000 kids, last year the expenditures were \$50,000 and we had 21,000 kids, but I don't think these kinds of proposals are going to raise a significant amount of money to make a difference. One, I think it's the wrong message to send about our community. I don't think people want to come to Concordia and hear we're squabbling over a quarter admittance to the pool or that (couldn't make out) is spending their last dime for coffee and I think the other thing is, it gives us a bad image. On the morning radio show, Rev. Seitz was on this week, and I think Tuesday he said "as a person you have to like, love and accept yourself before you can make positive relationships with other people." I think it's the same with a community. If a community can't get together and support the youth and go turn around and...you know support each other, it is hard for us to draw people to the community. You know when people visit they'll say "What is going on in town?" Then we say "We've fought over the ball fields and we've fought over the pool and we're not happy about all these things, and I agree with Lou Frohardt...Compromise is essential but I think the more important thing is that we need that common vision and to me, Concordia is a good place to live, we're not dying and things like this detract from the greater mission that we have as leaders of the community...So, I'm sure it's no great surprise that I'm against the changes he offered for the pool. I'm even against the fee increases because I think it sends a wrong message to the youth of the community and the people who are looking at our community. Is that long enough? (Applause)

LaVern Robbins said "I'll end with one question - How many people want to keep it exactly the way it is today at the swimming pool? I need a show of hands."

The show of hands was almost unanimous with only two or three persons not raising their hands. Commissioner Robbins then stated "I'm with you." (Applause)

Armand Balthazor then stood and addressed the crowd. He said every time I see a crowd like this it makes me feel good...that people are interested enough in their government to come out. I remember it wasn't too long ago I came up here by myself but this is a nice crowd. The thing that I want to say is that I'd like to give a shot to Concordia. I believe and I really believe this sincerely that we can, ah, it's like the complex out here. People sponsor that...\$2,000 Vince told me a crack. Our kids go out there, have fun and enjoy it. It costs us \$44,000. That's no problem to me. Okay, let's take this swimming pool. Let's make this free to kids. You want to do something for kids I think we can save enough money if we get together, it may take a little doing, but we can give free swimming. You talk about kids who can't afford to swim, let's give them free swimming. I've studied this a little bit...Russell gives free swimming - it costs them \$20,000 a year. It's a smaller pool.

Armand - "Okay, I know I'm outnumbered, I'm asking to get together and try a plan. That's all...and everybody, they can't wait to jump down my throat because I am against taxes, you're damn right I am and anybody that says they're for taxes, I don't know, I can't believe they are because they can come down and help me with mine."

Tom McLaughlin said "We're for growth, Armand."

Armand - We're the highest paying county in taxes.

Greg said "That's not true Armand and you know it. I've shown you the figures several times on how much money it takes to run this city compared to many other cities...you don't understand the process. You keep saying mill levy, mill levy, mill levy and I've told you every time it is dollars and not mills and

Armand - "There you go..."

Greg, "and we're doing the best we can to be conservative with the money and like I said, I would be glad to match us up with whatever community it is you're championing here."

Armand, "That's all right, I'm lost...but what I'm trying to do, just like this free swimming, I believe that's a vision, I believe it can work."

Mike Womochil, "How are we going to get the kids in free? How are we doing to do it?...because I'm all for letting the kids swim free, I think that is a wonderful idea."

Armand - "It's just like we've got the concession stand out there, we really don't know what the concession stand ever takes in...and I think the deal of it is..."

Lou Frohardt.. "I can give you some idea...now last year was a bad year. But in the years before that, when Mrs. Brunkow ran it she netted about \$1,000 a month."

Armand, "Well, I was just going by the figures they gave me this year on this and then the ...they said the City's share was \$1,000."

Romona Derousseau - "May I say something please?"

Armand - "Yes".

Ramona Derousseau - "We have managers that run the pool that know. Let us give them some respect and let them run the pool. If you, as the commissioners, want to visit with them as to their input, I don't think that this meeting is the time to tell them how to run the pool. I think that should be done at separate meetings instead of here."

Armand, Well, I think you'r right....(Applause) I'm just trying to see if maybe we can't get free swimming.

Ramona, but that should be done at an appropriate time and not here.

Armand, but I'm just suggesting, this is a work shop you know. I and you know, we'll never see a crowd like this again and this is nice.

Someone in the crowd said "Armand, just sit down and shut up" (Here there were several people talking at once and I cannot transcribe) Izzy recognized another gentleman who would like to speak.

Albert Callaway said that you're implying that anyone who can't afford to go swimming can't go swimming in Concordia. What you're asking for is a plan for anybody that can't afford to use this pool on a daily basis, that the city should have a plan for them. Frankly, for anybody that can't afford a season ticket or regular pay to use pool, then it is also their responsibility to help pick up some of that expense by doing that. So I don't think, having known these two managers for awhile, that they have ever denied a child the opportunity to go swimming if they didn't have the money.

Armand attempted to interrupt him here.

Albert Callaway continued - so really, what you are asking for, I would think would be more of a plan to be worked out between the pool managers and the commission for those people who can't afford to go swimming or for those people who are out-of-town visitors or however far you want to stretch that, that they would be able to use the pool free of charge. But it's everybody's responsibility that uses the facility to help pay for that facility, even though it may not pick up the whole bill for it.

Armand, but this is what I'm saying. We'll take the \$35,000 and maybe it might run us a little bit higher than that, maybe \$4,000 or \$5,000 and we can give free swimming. That's what I'm saying. If you guys don't want free swimming, that's all right with me.

Kirk Lowell observed that what I'd like to say, as a young person, that this community has been in, what I call, an expense management mode for almost two years now and anybody in this room can pick up a budget and look at the expenditures and you can take a red pen and close your eyes and draw through them. Anybody can do that, my child can do that. What this community has got to do is get in an income management mode. How can we get back to 1988 when we had how many kids coming to that pool? If I remember right, the pool was advertised a lot that year, we attracted a lot of people from the surrounding communities, they had water fights and water balloons, and all kinds of stuff....and what was the deficit in 1988? \$18,000. Those are the things we need to do. The positive things to overcome the expenses. Let's bring more people to our community by setting down and figuring out ways to raise the income. Out there on the farm the expense management is at rock bottom. It's time for income management. You can only pull a community down so far and once you go beyond that, how can you ever recover it? So if we do income management ... I was in Wichita one day on business and talking with a gentleman on a piece of machinery and a guy in the showroom walked up to me and said "I just overheard you're from Concordia" and I said "Yeah", and he said "you guys have got the finest softball fields in the state of Kansas!" and turned around and walked off. Now to me, that makes me puff up, more than a new car, more than siding on the house because it's my community and somebody knew me because of what our community had accomplished together. So I would like to see us bring revenue into this community by working together instead of this cut, cut, because we can overcome the cut, cut, cut. I really feel that way. Look at all the outsiders....McDonald's, Subway, Hardees. People from the outside are looking in and saying "Man, those people have got something on the ball!".... and we're sitting here saying "Well, I think we're dying!" We're not dying. We have a lot of families living here. Young families living here. Young families that have sacrificed probably wages to live here because they really love this community, they like being around their seniors, and this community has always supported youth. Always, I remember when I was a boy playing ball at the high school, those businesses would come together and raise money for the football team, the adults have always been for youth. And I think that's why there are so many people here today is because this question has been brought up, you know, are the adults going to be there for the youth anymore? Now, I think they're gonna be. I think.... well, anyways, that's what I wanted to say.(Applause)

Izzy asked if anyone had any more to say on this issue.

Greg stated that he had one closing comment before we vote. In regard to what Mr. Balthazor was saying about the swimming pool. As to getting rid of the managers, I say "No way", the same as what he said about the parents umpiring the games at the ball fields. I think it is ill advised and would create problems in the long run and I move that we keep the pool hours and costs the same as they are now.

Armand, I want to answer that. I know you got elected but so did LaVern Robbins here to.....and the deal of it is, I guess we'll probably have to go to the polls. I mean that's what is going to happen.

Tom McLaughlin said We sure will. (Laughter & applause)

Armand Balthazor....You've been voted down twice on that school deal and you still want to be for it so I'm.....(can't understand).

Boyd Dochow....and we're going to get it too.

Cindy Meyer - I'd just like to say it depends on how you look at the cup. I'm a half full person, the cup is either half full or half empty. And we can choose how we look at our community. We can choose to view it as half empty or we can choose to view it as half full. How can we promote the pool, provide free swimming without compromising safety? Why not make Wednesday a free for all swim day? Anybody who wants to come on Wednesday, swims free.

Armand - That's a good idea...I like that.

Cindy Meyer: What we do is we promote the pool and we show the kids how much fun the



pool is and maybe Monday, Tuesday, Thursday, Friday, & Saturday, they'll come, pay their admission and come in and swim. It's a compromise. But I do not feel we should provide free swimming at the expense of safety. We have professionals here running our pool - that's who should run our pool. (Applause)

Armand - Okay, I like that idea. I'd like to say this too, if there's kids that show up there.....

Bernard Newell - How many city commissioners do we have? Three or four or what?

(mixed talking)

Armand - Can I say my piece?

Tom McLaughlin - As a new young person in this community, a person who enjoys this community and who would like to stay in this community, it is very important for me to be in this community, and I'm, I don't think I'm speaking only for myself, for lots of young people it's progressive and it's stemming off that common vision where this community needs to go with this issue being, I guess, symbolic of that vision today. It's real important for the young people to know, how to help support the tax base that we're talking about, who'll continue to support the tax base, that they can come here. If we are, indeed, in a declined and sinking ship and we need to down size, we're going to lose young and progressive people from this community and indeed, our tax base is going to shrink even more. Most certainly it is about being reciprocal. The seniors serve use. We serve the seniors. Both sides serve each other and there's absolutely no doubt about it, this down sizing mentality is....someone really does need to be here if this is a retirement community which I've heard said time and time again. Someone needs to be here to service our seniors. They're not going to just service themselves. And I most certainly would like to take the opportunity to applaud Commissioner Hattan for his position. (Applause)

Izzy asked Kirk Lowell if he had anything more he wanted to say.

Kirk Lowell - Yes, I've got one more short comment and that is going around the community to the coffee shops and stuff, the attitude seems to be "Some company is going to fly over the state of Kansas and land in Concordia and solve all our problems". And it's not going to happen. It's going to take each and everyone of us as families, as businesses believing in ourselves, investing in ourselves and Yes, that dirty word "paying our taxes" to go out there and find those businesses and show them how nice our community is and that we have respect for one another and that this is a great place to live and raise your kids. And I think those people are out there. You know, you pick up the paper and read about poor education and you think it's Concordia. It's not! We have good education here. My third grader can spell boa constrictor and I can't hardly say it. (Laughter) We've got a good education system here. But we've got to get out there and get those young families that are sick of the cities but they don't know where to go and we need to get out there and figure out a way to bring them here.

Kirk continued - One more comment and I'll sit down. I don't understand why in the world it is that just because you're a public employee in the City of Concordia, you're the scum of the earth. (Much applause) I've got a lot of respect for Armand to stand up in front of this room and I remember one night when I was working on the prison, I did the same thing so I know what you're talking about.

Armand - You know, I don't mind it.

Kirk - But we've got a lot of good people who are public employees. Sure, maybe we have some bad ones, but just because you're a teacher or you work on the city street crew or you work for the county, is no reason to have to go into a coffee shop and be chastized because you're being paid with public funds. It's ridiculous. We need those .... I don't know anybody in this room who wants to go out at 3 o'clock in the morning and fix their water main when it breaks. We hire those people to be on call to do those kinds of things and we need to respect them ... because they're not making that...what is the average wage for the City employees? \$7.00 or \$8.00. I don't know but.....

Greg...I don't want to throw anything out, but you can get a copy of the (laughter and applause)

Kirk, but I mean they're not setting the world on fire and I think we need to respect them. I really do.

Izzy. Thank you and I think it's the mayor's time to voice his opinion...if that's all right. (Applause)

Izzy. The only thing that I was going to say is it has been an honor and a privilege for me to be mayor this past year. I've met some of the nicest people in the world. I honestly mean that. The citizens of Concordia, during the July 8th storm, you can't believe how they worked together and how communities from distances that came and helped us and I tell you, there's not words that can express how proud I am of the City of Concordia...and I really mean that. And on the swimming pool and the sports complex, look at these letters. (He passed out letters from children) These letters make you feel proud. Thank you.

(Applause)

Commissioner Robbins: May I have a closing comment here. You people are doing your job tonight by being here. You're telling the city commission where you stand and I'm glad

you're here and I want you to come back. Thank you.

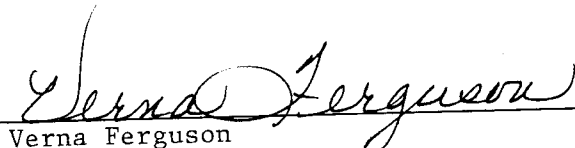
(Applause)

Greg...Before I restate my motion, I'd like to address Mrs. Meyers. We have pool managers who handle the free swims as well as promotions that we have run in the past, and I don't know, you can get those schedules from them. Again, I would make my motion that the hours and the pool and the fees remain the same as they are now.

Commissioner Robbins seconded. Motion carried unanimously.

Commissioner Bombardier repeated "It's been moved and seconded the hours and fees remain the same at the pool - all in favor say "aye"". The entire room (almost) said "aye".  
(Applause)

With no further business, Commissioner Bombardier moved to adjourn the meeting. Commissioner Robbins seconded. Motion carried.

  
Verna Ferguson  
City Clerk

(Seal)

VF:lf

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 21, 1993.

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The City Commission met in regular session at 4:00 p.m. on April 21, 1993, in the City Commission Room at the City Hall. Mayor Bombardier presided with Commissioner Hattan and Robbins present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Jay Trost, Lillian Johnson, Sam Budreau, Judith McKee, Nolan Nitz, William Boles, Ruth Bombardier, Rachel Cottam, Richard Wahl, Harriet Wahl, Robert Burns, Armond Balthazor, Phil Deneault, Larry Letourneau, Damian Nobert, Dale Ferguson, Joyce Robbins, Rod Howard, Joe Hamel, Janice Hattan, Larry Blochlinger, Mel Waite, Boyd Dochow, Gertrude Dochow, Margaret Hattan, Hugh Hattan and Armond Racette.

Minutes of the April 7th regular meeting and April 14th adjourned City Commission meeting were approved as written.

APPROPRIATION ORDINANCE #7

APPROVED

Appropriation Ordinance #7 was approved according to law.

TREE CITY APPRECIATION

APPROVED

Mayor Bombardier acknowledged a letter received by Scott Specialties, Inc. congratulating the City on its "Tree City" award. Scott Specialties, Inc. believes in the cities they are in and to encourage the planting of trees they are giving each of their employees \$25.00 for planting a tree within the next 45 days. They hope this contribution will motivate their employees to re-establish trees lost in the storm last summer and make Concordia an excellent place to live and work.

COMMUNITY DEVELOPMENT BLOCK GRANT EXTENSION

The Department of Commerce has informed the City that the nine month extension on the CDBG Grant has been approved from May 24, 1993 to January 24, 1994. Three additional progress reports will have to be submitted.

PRESENTATION OF "TREE CITY" AWARD

The Tree Board was present to accept the "Tree City" award from Mayor Bombardier on behalf of the City. Concordia was chosen as one of 71 Tree Cities in Kansas this year. Special recognition was given to the Tree Board members, Lillian Johnson, Jay Trost and Judith McKee for their participation.

ELECTION RESULTS

PLACED ON FILE

City Clerk Ferguson read the report from the Cloud County Clerk and County Election Officer Betty Musick certifying the results of the City General Election for the City of Concordia held on April 6, 1993, to be as follows:

For City Commissioner:

|                   |       |
|-------------------|-------|
| Gregory L. Hattan | 1,281 |
| Eldon D. Wisdom   | 1,132 |
| Ron Crow          | 1     |
| Bernita Basnett   | 1     |

Following the reading of the election results, City Clerk Verna Ferguson administered the oath of office to Gregory L. Hattan for his fifth three-year term.

ANNUAL COMMISSION REORGANIZATION

ELECTION OF MAYOR

City Ordinance requires the Commission to annually elect one of its members to serve as Mayor to preside at City Commission meetings and perform as official head of the City on formal occasions. Commissioner Hattan moved that LaVern C. Robbins be elected to serve as Mayor for the ensuing year. Mayor Bombardier seconded the motion. Motion carried.

QUARTERLY INVESTMENT REPORT - 1ST QUARTERAPPROVED

City Manager Richard Nienstedt presented the investment reports for the first quarter of 1993. It was moved by Commissioner Hattan, seconded by Commissioner Bombardier and duly carried unanimously to place the investment reports on file.

Total interest received fro the first quarter of 1993 was \$16,266.72 compared to \$16,424.15 in 1992. The average fixed interest rate for this quarter was 3.08% compared to 4.35% in 1992.

ORDINANCE NO. 2582 -  
SCOTT SPECIALTIES, INC. TAX ABATEMENT RENEWAL

PASSED

This ordinance continues the exemption of certain property from ad valorem taxation for economic development purposes. This property commonly referred to as Scott Specialties, Inc. was determined to be exempt from ad valorem taxation by Ordinance #2568 for a period of ten (10) calendar years beginning in calendar year 1992: Property included in the tax abatement are as follows:

An 80' x 81' addition on the south of the existing building situation on Lot One (1) in Concordia Industrial Park, an Addition to the City of Concordia, Cloud County, Kansas, subject to easements and restrictions of record, (building addition only), and

| <u>ITEM</u>               | <u>MODEL</u> | <u>QTY</u> |
|---------------------------|--------------|------------|
| Sewing Machine            | Pfaff 118    | 1 ea.      |
| Sewing Machine            | Pfaff 118    | 6 ea.      |
| Sewing Machine            | Mits 1180    | 2 ea.      |
| Sewing Tables &<br>Stools |              | 9 ea.      |
| Strip Cutter Ace          |              | 1 ea.      |
| Long Handled Cutter       |              | 1 ea.      |
| Cloth Spreader Sterling   |              | 1 ea.      |
| Cloth Cutter Wolf         |              | 1 ea.      |
| Die Cutter Schwabe        |              | 1 ea.      |
| Cutting Table             |              | 40 ft.     |
| Cutting Dies              |              | 4 ea.      |
| Shelving Units            |              | 7 ea.      |
| Feed Rail Drops           |              | 10 ea.     |
| Shelving Units            |              | 20 ea.     |

Commissioner Hattan made the motion to renew the tax abatement, seconded by Commissioner Bombardier and duly carried by all members of the Commission.

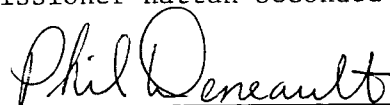
CEREAL MALT BEVERAGE LICENSEAPPROVED

Jane Wilkins applied for a cereal malt beverage license doing business as Little Bob's for the remainder of 1993. Motion was made by Commissioner Bombardier, seconded by Commissioner Hattan to approve the application for a cereal malt beverage license. Motion carried.

PUBLIC COMMENTS

Judith McKee, Director of Public Grounds, addressed the Commission and advised them that the "Tree City" award would be hung in the lobby of City Hall for viewing. Dale Ferguson asked that Judith McKee be recognized for her efforts in this program.

There being no further business, Commissioner Bombardier moved to adjourn the meeting to the April 28th work session at 5:30 p.m. Commissioner Hattan seconded the motion. Motion carried.



Phil Deneault, Acting City Clerk

(Seal)

PD:lf

The City Commission met in regular session on May 5, 1993, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK/KCKS, Brad Lowell from The Blade-Empire, Nancy Champlin, Margaret Hattan, Anita Partridge, Chris Partridge, Judy Kircher, Sam Budreau, Cleanor Tyler, Damian Nobert, Fedora M. Nobert, Jack Graves, Karen Dunlap, Ross Olson and Brad Hopkins.

Minutes of the April 21, 1993, meeting were approved as written.

APPROPRIATION ORDINANCE NO. 8

APPROVED

Appropriation Ordinance No. 8 was approved according to law.

PROCLAMATION

NATIONAL HOSPITAL AUXILIARY VOLUNTEER WEEK

Judy Kircher, Margaret Hattan, Eleanor Tyler and Fedora Nobert were present to ask the City Commission to proclaim the week of May 9th as National Hospital Auxiliary Volunteer Week. Mayor Robbins signed the proclamation.

PROCLAMATION

MAY AS MENTAL HEALTH MONTH

Nancy Champlin representing the Pawnee Mental Health Center was present asking the City Commission to proclaim May as Mental Health Month. The mayor signed the proclamation.

CLOUD COUNTY RESOURCES COUNCIL

CHALLENGE ISSUED

Karen Dunlap, representing the Cloud County Resources Council, advised that she had issued a challenge to the Cloud County Commissioners on Monday in order to re-stock the Food Bank with sugar and flour. She said the County Commissioners accepted the challenge. She then asked the City Commission if they would accept a similar challenge to stock the Food Bank with peanut butter and jelly. She said the Food Bank was pretty well stocked with fruits and vegetables but was needing these other staples. After a brief discussion, the Commisison accepted the Challenge. The collection of peanut butter and jelly shall continue to May 28th.

RESOLUTION NO. 1116 (GAAP WAIVER)

APPROVED

City Manager Nienstedt presented Resolution No. 1116 to the Commission to request a waiver for GAAP (Generally Accepted Accounting Principles). The waiver must be approved annually by resolution as required by K.S.A. 1982 S.B. 531. This eliminates unnecessary financial statements and reports from the City's annual audit.

Commissioner Bombardier moved, seconded by Commissioner Hattan and duly carried that Resolution No. 1116 authorizing the extension waiver of requirements of law relating to (GAAP) be approved.

ORDINANCE NO. 2583 (RE-ZONING AMENDMENT)

PASSED

City Manager advised the Commission that City Attorney Retter had prepared an ordinance authorizing the re-zoning amendment discussed at the work session on property located at 201/205 E. 7th Street. The property owners had requested this be changed from an R-1 zoning district to a C-S zoning district. Mr. Nienstedt further advised this was in conformance with the Comprehensive Plan of the City and was recommended by the Planning Commission. Following a short discussion, the following ordinance was presented.

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; 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": Robbins, Bombardier and Hattan. "Nay": None. With all of the Commission-elect having voted in favor thereof, the ordinance was passed, the title agreed to and the City Clerk assigned ot it Ordinance No. 2583.

ORDINANCE NO. 2584 (ZONING ORDINANCE AMENDMENT)PASSED

City Manager Nienstedt advised the Commission that the Planning Commission had met and approved that the zoning ordinance be amended to permit schools and churches to cover their lots up to 75% but each change would have to be approved by the Planning Commission first. Following a discussion, the following ordinance was presented.

An ordinance entitled "AN ORDINANCE REGULATING LOT COVERAGE, AS DEFINED BY ARTICLE III, SECTION 2 OF THE ZONING ORDINANCE OF THE CITY OF CONCORDIA, KANSAS, BEING ORDINANCE NO. 1829, AS AMENDED FROM TIME TO TIME ("ZONING ORDINANCE"), AS APPLIED TO SCHOOLS, CHURCHES AND SIMILAR PLACES OF WORSHIP; AND AMENDING THE ZONING ORDINANCE BY ADDING A NEW SUBSECTION, TO BE NUMBERED 5 TO SECTION 8, ARTICLE XXVI OF THE ZONING ORDINANCE" was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Robbins, Bombardier and Hattan. "Nay": None. With all of the Commission-elect having voted in favor thereof, the ordinance was passed, the title agreed to and the City Clerk assigned to it Ordinance No. 2584.

ENGINEER'S ESTIMATE OF COST (ST-93-ARCHER)APPROVED

City Manager Nienstedt advised the Commission that Mr. Braun had not returned a sufficient petition for the Hill Street improvements, so therefore, he had prepared a cost estimate for the alternate route using Archer Street. The following is the Engineer's Estimate of Cost:

| <u>PROJECT ST-93-ARCHER</u>       | <u>TOTAL</u>     | <u>DISTRICT</u> | <u>ROLLING HILLS</u> |                 |                 |
|-----------------------------------|------------------|-----------------|----------------------|-----------------|-----------------|
|                                   |                  |                 | <u>DISTRICT</u>      | <u>CITY</u>     | <u>COUNTY</u>   |
| Asphalt                           | \$ 8,160)        |                 | 3,030.00             | 1,818.00        |                 |
| Rock                              | 3,960)           | 7,272.00        |                      |                 |                 |
| Asphalt Labor (donated by County) | 1,700            |                 |                      |                 | 1,700.00        |
| Rock Labor                        | 1,321            | 1,056.80        |                      | 264.20          |                 |
| Shaping / Grading                 | 2,720            |                 |                      | 2,720.00        |                 |
| Engineering                       | 1,750            | 562.50          | 437.50               | 750.00          |                 |
| Materials Contingency             | 2,130            | 1,015.50        | 532.50               | 582.00          |                 |
| <b>TOTAL PROJECT</b>              | <b>\$ 21,741</b> | <b>9,906.80</b> | <b>4,000.00</b>      | <b>6,134.20</b> | <b>1,700.00</b> |

The cost estimate was considered by the governing body and on a motion by Commissioner Hattan, seconded by Commissioner Robbins and duly carried by the affirmative vote of all the members-elect of the Commission, the total cost of the improvement was determined to be \$21,741.00 with the Rolling Hills District paying 18.4%; the Improvement District paying 45.6%; Cloud County paying 7.8%; and the City paying 28.2%.

The City Manager advised that the City Attorney had drafted a Development Agreement with another property owner outside the city who is also interested in this improvement.

BOSTON CORBETT SITE RE-DEDICATIONINVITATION TO COMMISSION

Ross Olson was present to issue a personal invitation to the three City Commission to attend the re-dedication ceremonies of the Boston Corbett site. The ceremony will take place at 11:00 o'clock a.m. on Saturday, May 8th, at the Boston Corbett homestead site. In the event of inclement weather, the ceremony will be held at the VFW Club. Mr. Olson said that his son, Ezra and Kevin Walker, had prepared the site and put up the signage along the route working on their Eagle Scout badges in the Boy Scouts.

Mr. Nienstedt also invited the Commission to a play at 7:30 p.m. that evening.

BLADE-EMPIRE OFFERING TICKETS TO SEE RUSSIAN FOLK DANCERSBROWN GRAND THEATER

Mr. Nienstedt reminded everyone that the Blade-Empire was offering tickets to see the Russian Folk Dancers Sunday, May 16th, at the Brown Grand Theater at 2:00 p.m. and thanked the Blade for this gesture.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Hattan moved that this meeting be recessed into a closed executive session to discuss matters involving attorney-client matters for ten minutes. The time was 4:28 p.m. Commissioner Bombardier seconded. Motion carried.

The City Commission reconvened at 4:48 p.m.

Commissioner Bombardier moved that the recess be extended an additional ten minutes. Commissioner Robbins seconded. The time was 4:49 p.m.

The City Commission reconvened at 4:55 p.m.

Commissioner Bombardier moved to adjourn the meeting to May 12, 1993, to attend at League District Meeting at Beloit, Kansas, at 7:00 p.m.

  
Verna Ferguson, City Clerk

The City Commission met in adjourned session on May 12, 1993, at 5:30 o'clock p.m. in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK/KCKS, Brad Lowell from the Blade-Empire, Sam Budreau, Dale Ferguson, Jack Graves, Jennifer Worthen, Chris Worthen, Terri Harris, Glenn Nelson, Armand Balthazor, Bobbie Vignery, Amanda Moon, Tracie Lewis, Abe Smith, Tom McLaughlin and Jeff Zimmer.

GENERAL OBLIGATION BOND REFUNDING

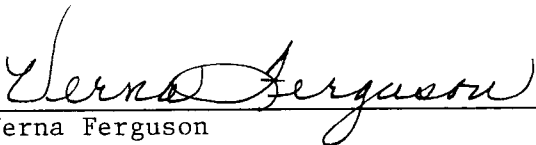
GEO. K. BAUM & COMPANY

City Manager Nienstedt advised the Commission the City had received two proposals for refunding the City's debt. One from Ranson & Company with a net cash savings of \$83,568.50 and one proposal from George K. Baum & Co. with a net savings of \$111,155. Following a discussion about the leveling out of the payments and the savings to the City, Commissioner Hattan moved to accept the proposal from George K. Baum & Co. Commissioner Bombardier seconded Motion carried unanimously.

CHS FORENSICS SQUAD RECOGNIZED

Jennifer Worthen, Chris Worthen, Terri Harris, Bobbie Vignery, Amanda Moon, Tracie Lewis, Abe Smith and Jeff Zimmer along with their instructors Chris Nelson and Tom McLaughlin were present to be recognized for their winning the State competition in Forensics. This is the 3rd year in a row that CHS students have won the Class 4A State Championship. The Mayor and Commission presented them with a cake.

There being no further business, Commissioner Bombardier moved to adjourn the meeting. Commisssioner Hattan seconded. Meeting adjourned.

  
Verna Ferguson  
City Clerk

(Seal)

VF:cl

The City Commission met in regular session on May 19, 1993, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Brad Lowell from The Blade-Empire, Joe Jindra from KNCK/KCKS, Jessica Evans, Dana Clark, Damian Nobert, Armand Balthazor, Gerald Wheeler, Rachel Cottam and Jack Graves.

Minutes of the May 5th and May 12th meetings were approved as written.

APPROPRIATION ORDINANCE NO. 9

APPROVED

Appropriation Ordinance No. 9 was approved according to law.

ENGINEER'S ESTIMATE - F & A WATER LINE (PROJECT WL-93-F&A)

APPROVED

Motion was made by Commissioner Bombardier, seconded by Commissioner Hattan and duly carried by unanimous vote to approve the Engineer's Estimate of Cost for the completion of a water line to F & A Food Sales located south on Kansas street to F & A, west to Lincoln, 910' x 360', all within the City of Concordia, Cloud County, Kansas, in the amount of \$64,045.00. The apportionment of cost on this project shall be 27.63% paid by the Benefit District and 72.37% paid by the City-at-large.

Following approval on the engineer's estimate, the City Manager noted the next step would be to put the project out for bid. City Attorney Retter noted that the resolution authorizing the project would be published twice before the hearing date established by the resolution.

RESOLUTION NO. 1117 ( HEARING DATE SET - WL-93-F & A)

PASSED

City Attorney Retter presented to the Commission a resolution authorizing the construction of a water line to F & A Food Sales located south on Kansas street to F & A, west to Lincoln, all within the City of Concordia, Cloud County, Kansas. Resolution No. 1117 establishes a hearing date of June 2, 1993, at 4:00 o'clock p.m. in the City Commission Room, Second Floor, City Hall, and further said resolution authorizes the City Clerk to cause notice of hearing to be published on May 20, 1993 and May 27, 1993.

Following a brief discussion, Commissioner Hattan moved to approve Resolution No. 1117 and to set the hearing date for project WL-93-F&A on June 2, 1993, at 4:00 o'clock p.m. Commissioner Bombardier seconded. Motion carried unanimously.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Robbins moved that this meeting be recessed into a closed executive session to discuss matters involving attorney-client matters for ten minutes. The time was 4:12 p.m.

The City Commission reconvened at 4:20 p.m.

MAYOR COMMENTS

Mayor Robbins said that he and his wife had attended the Brown Grand Theater Sunday afternoon to see the Russian entertainers. He thanked Brad Lowell and the Blade-Empire for making this possible. He also said he went to the D.A.R.E. program and felt it was a very worthwhile effort. He asked that his \$8.00 a month for being City Commissioner be given to this program.

PUBLIC COMMENTS

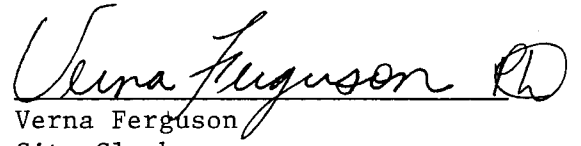
Gerald Wheeler asked for an extension on a nuisance abatement he had received concerning an old garage. This item was not on today's agenda and he was advised to talk with city staff about it.



LEAGUE DISTRICT MEETING

The Commissioners and City Manager Nienstedt will be attending a League District Meeting in Beloit next Wednesday at 7:00 p.m. There will be no Work Session at the City Hall.

There being no further business, Commissioner Bombardier moved to adjourn the meeting. Commissioner Robbins seconded. Motion carried.

  
Verna Ferguson  
City Clerk

(seal)

The City Commission met in regular session at 4:00 o'clock p.m. on June 2, 1993, in the City Commission Room in the City Hall. Mayor Robbins presided with commissioners Bombardier and Hattan present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and Acting City Attorney Donna Long.

Visitors present: Joe Jindra from KNCK/KCKS, Brad Lowell from The Blade-Empire, Damian Nobert, Shirley Gropp, Loren C. Miller, Bud Young, Jim Wilson, John Lahey, Donald C. McDaniel, Sam Budreau, Armand Balthazor and Herb Shulz, Chairman of the Water Safety Environment Committee.

Minutes of the May 19, 1993 meeting were approved as written.

APPROPRIATION ORDINANCE NO. 10

APPROVED

Appropriation Ordinance No. 10 was approved according to law.

SAFETY AWARD TO CONCORDIA'S SEWAGE TREATMENT PLANT

PRESENTED

Herb Shulz, representing the Kansas Water Environment Association, was present to honor Charles "Bud" Young, Jim Wilson, and Loren Miller as well as other city officials for the excellent safety record at the Concordia Wastewater Treatment Plant. Mayor Robbins and Commissioner Bombardier also expressed their appreciation for the excellent record as well as the hard work that was done following the July 8, 1992 storm.

PEANUT BUTTER AND JELLY DONATIONS FOR FOOD BANK PROJECT

City Manager Nienstedt brought the Commission up to date on the Peanut Butter/Jelly Food Bank donations. He said that 56 jars of peanut butter and 125 jars of jelly had been donated by City employees. He said a contest had been going on between departments with the prizes for donations being donuts on a weekly basis and at the end of the contest there will be a pizza party.

WATERLINE PROJECT (WL-93-1)

HEARING HELD

At the meeting held May 19, 1993, the City Commission set the date of June 2, 1993, to hear public comments on the waterline project servicing several businesses in the southeast part of Concordia which includes the F & A Food Sales Co. No one was present to protest the waterline improvement. Following a short discussion, Commissioner Hattan moved to approve the project. Commissioner Bombardier seconded. Motion carried unanimously.

RESOLUTION NO. 1118 (WL-93-1)

PASSED

City Manager Nienstedt presented to the Commission a resolution authorizing the construction of a waterline to F & A Food Sales located south on Kansas Street to F & A, west to Lincoln, all within the City of Concordia, Cloud County, Kansas. The project cost is estimated to be \$64,045.00 with the apportionment set at 27.63% assessed against the improvement district and 72.37% paid by the city-at-large. Following a brief discussion, Commissioner Hattan moved to approve Project WL-93-1 authorizing the construction of a waterline to the F & A Food Sales area. Commissioner Robbins seconded. Motion carried unanimously.

COUNTRY CLUB REQUEST FOR WATER CREDIT

ONE YEAR APPROVAL

City Manager Nienstedt advised the Commission that he had received a request from the Concordia Country Club requesting a credit on their water bill if the Club was open to the public one day a week. The request is for a credit to the water usage bill by 1/7th or 15%. City Manager Nienstedt asked Armand Balthazor if the public would be required to pay anything. Armand replied they would probably have to pay green fees, approximately \$8.00. Richard Nienstedt then read the letter from the Country Club requesting the credit.

Commissioner Hattan supported the credit relating that he had received calls from young persons with young families who could not afford the Country Club dues but liked to golf. He said that the city supports people who like to play ball, people who use the pool, etc., and he felt this was no different. Commissioner Bombardier also voiced his support of the credit. Commissioner Hattan felt it is a small price to pay to support people who want to play golf. He said he doesn't want the City to have the golf course and have to support it.

City Manager Nienstedt said that in 1990 the credit of water would have been \$644.30.

Following discussion Commissioner Bombardier moved to allow a 15% credit or (1/7th) on the Country Club Water bill on a one year trial basis. Commissioner Hattan seconded. Motion carried unanimously.

ARCHER/20TH STREET IMPROVEMENT PROJECT

ACTION TABLED

City Manager Nienstedt advised that some of the Development Agreements from Rolling Hills had been filed and that several signatures had been obtained on a petition for the Archer/20th Street project. Following a brief discussion, Commissioner Hattan moved to table any action on the project until next week when the rest of the signatures as well as more development agreements are due in. Commissioner Bombardier seconded. Motion carried.

PUBLIC COMMENTS

Don McDaniel who resides at 910 Mound Street was present to express concerns about Highway 81 traffic. He said he has to maintain a strip of land next to the highway and if he doesn't keep it mowed, he gets these "nice" letters from the city. He said he is concerned with traffic through Concordia which travels at a high rate of speed. He said he has a young man who mows this property and when the trucks go through town so fast, they could pull someone into the line of traffic. He says he sees people running the stop signs at 11th and Lincoln. They go through town like they are still out on the open prairie. He said he swears to God the trucks are going through at 45-50 mph.

Commissioner Robbins commented that he had seen vehicles speed up to make the light at 11th and Lincoln. He suggested Chief Sam Budreau to comment.

Mr. McDaniel said he had thought about dumping a load of manure out there and asked the City if they couldn't work with the State on this problem.

Chief Budreau advised that prior to the meeting he had run radar himself and caught one truck driver at 41 mph. He said he clocked several at a little over 30 mph. He said they do catch some (speeders), but not all of them. He would authorize greater concentration of radar patrol during the next week and will assign additional man hours. He also told Mr. McDaniel to notify him when he has a man mowing there and he would assign an officer to that area during that time.

COMMISSIONER ROBBINS

Commissioner Robbins asked about the closing date for the County Landfill. Mr. Nienstedt said it was tentatively scheduled for October 8th.

City Manager Nienstedt said he would like to see the City do a pilot composting operation stating that right now there isn't a composting operation here. He said the County is working on a closing plan and also working on building a transfer station to be located at the present landfill site. He said the County is being mandated to comply with new federal law. Mr. Nienstedt expressed concern about the disposal of household hazardous waste.

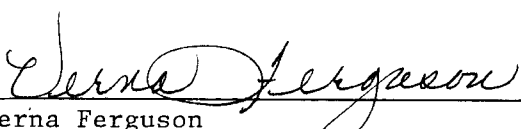
SCHEDULING THE NEXT MEETING

City Manager Nienstedt suggested to the Commission that they might want to adjourn the meeting to noon on June 9th, 1993, in order to hear a presentation from Chuck Bouilly representing George K. Baum and Co. on the 1993 refunding bond issue and to accept additional development agreements and petition on the Archer/20th Street improvements.

Following discussion, Commissioner Bombardier moved to adjourn the meeting until 12:00 o'clock noon on June 9, 1993. Commissioner Hattan seconded. Motion carried unanimously.

(seal)

VF:cp

  
Verna Ferguson

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JUNE 9, 1993

The City Commission met in adjourned session at 12:00 o'clock noon on June 9, 1993, in the City Commission Meeting room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: City Manager Nienstedt and City Clerk Ferguson.

Visitors present: Armand Balthazor, Shirley Gropp, Dale Ferguson, Sam Budreau, Jack Graves and Chuck Bouilly with Geo. K. Baum & Co.

BOND PURCHASE AGREEMENT WITH GEO. K. BAUM & CO.

APPROVED

Chuck Bouilly of Geo. K. Baum & Co. was present to explain the bond purchase agreement, the refunding of the current debt of Concordia and the bond ordinance. He explained the interest averaged 4.41647% with a net savings in debt of \$102,496 and further the debt years would be reduced to 5.8 years.

The bond closing is scheduled for June 29, 1993, at Wichita.

ORDINANCE NO. 2585 (REFUNDING BOND ISSUE FOR 1993)

PASSED

Following Chuck Bouilly's presentation, the following ordinance was presented.

An ordinance entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE AND DELIVERY OF \$825,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 1993, OF THE CITY OF CONCORDIA, KANSAS, FOR THE PURPOSE OF PROVIDING FUNDS TO REFUND A PORTION OF THE CITY'S OUTSTANDING GENERAL OBLIGATION BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO" was read and considered by the Commission.

Following discussion, motion was made by Commissioner Hattan, seconded by Commissioner Bombardier and carried by the affirmative vote of the entire members-elect of the Commission. 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. 2585.

RESOLUTION NO. 1119 (1993 REFUNDING BOND ISSUE)

PASSED

Mr. Bouilly then explained the need for a resolution setting out the terms and delivery of the bonds and said that with the passage of this resolution, it would eliminate some of the costs of publication. The bond ordinance must be published but many of the details outlining the bond issue were described in the resolution. Following discussion, Commissioner Hattan moved the following resolution be passed. Commissioner Bombardier seconded. Motion carried unanimously.

RESOLUTION NO. 1119

"A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING THE DELIVERY OF \$825,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 1993, OF THE CITY OF CONCORDIA, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 2585 OF THE CITY; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO".

PETITION FOR ST-93-ARCHER

ACCEPTED

The City Manager presented a petition for the improvement of Archer Street and 20th Street explaining the petition was 66.2% sufficient. Following the presentation of the petition, Commissioner Hattan moved to accept the petition for improvement of Archer & 20th Street. Commissioner Robbins seconded. Motion carried unanimously.

DEVELOPMENT AGREEMENT ACCEPTED

ISABELL BLOSSER

City Manager Nienstedt submitted to the Commission a Development Agreement from Isabell Blosser setting out the terms for her participation in the Archer/20th Street improvement. The Development Agreement sets out the terms of the participation and sets a maximum amount of \$1,990.56 for their share in the costs of said improvement.

Following discussion, Commissioner Bombardier moved to accept the development agreement between the City and Isabell Blosser. Commissioner Hattan seconded. Motion carried unanimously.

DEVELOPMENT AGREEMENT ACCEPTED

ROLLING HILLS SUBDIVISION

City Manager Nienstedt submitted to the Commission a Development Agreement signed by the following property owners in Rolling Hills Subdivision for their participation in the improvement of Archer/20th Street: William C. & S.I. Gropp, Bernie L. & Edyth Deckard, Vernon D. & Darlene M. Laffere, Garry L. Peterson, Ronald D. & Janet Dorman, Marvin L. Dunlap for Jamestown State Bank, Philip & Pamela Deneault, Michael R. & Julie Womochil, Tony R. Studt, Randy J. & Chrystal Boyer, David Darwin & Julie Lynn Erickson, Thomas C. & Sonya D. Bitner, Lawrence A. & Cheryl Laas, Walter W. & Susan Meisel, Brad & Joy Hopkins, Ronald L. & Arlys E. Hubert, Harold and Hilda Shelter.

Along with the development agreement was submitted a consent agreement from other property owners in close proximity to Rolling Hills and consenting and agreeing to be bound by the terms of the Rolling Hills Development Agreement, to the same extent as if they were original parties to the Development Agreement, notwithstanding the fact that they own no real estate in Rolling Hills Subdivision. These property owners are listed as follows: Tommy & Barbara Ryals, Tom & Machele Raleigh, Woodrow & Wanda Hood, Gene and Esther Lahodney, Dennis and Blanche Bergmann.

The maximum amount each property owner has agreed to pay shall not exceed \$200.00 and said amount shall be paid within 30 days of completion of the construction of the project.

Following presentation of the above agreements, Commissioner Bombardier moved to accept the development and consent agreements. Commissioner Hattan seconded. Motion carried unanimously.

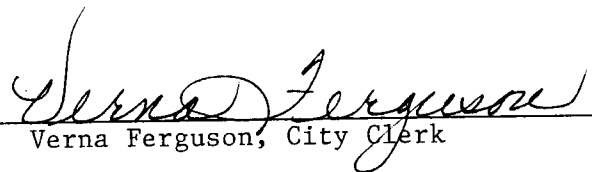
Following the above motions, Commissioner Hattan directed City Clerk Ferguson to list those property owners who did not sign the development agreement. Following are the names of property owners who did not sign. William C. Erickson, Gale L. & B.P. Longnecker, Alvin A. & Aurelia Istas, Jerry A. & Sonie Roe.

RESOLUTION NO. 1120 (AUTHORIZING ST-9-ARCHER/20TH)

APPROVED

City Manager Nienstedt presented to the Commission a resolution authorizing the grading, road bed preparation and surfacing of Archer Street, between 17th Street and 20th Street, between Archer Street and Hill Street, in the City of Concordia, Cloud County, Kansas, with the total cost not to exceed \$21,741.00. Following discussion, Commissioner Bombardier moved to approve Resolution No. 1120 authorizing said improvement. Commissioner Hattan seconded. Motion carried unanimously.

There being no further business, Commissioner Bombardier moved to adjourn the meeting. Commissioner Hattan seconded. Motion carried.

  
Verna Ferguson, City Clerk

(Seal)

VF:lf

The City Commission met in regular session at 4:00 o'clock p.m. on June 16, 1993, in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: City Manager Nienstedt and City Clerk Ferguson.

Visitors present: Joe Jindra from KNCK-KCKS, Richard Smith from The Blade-Empire, Sam Budreau, Dean R. Frazier, Vince Crough, Robert Aldridge, Brenda Gilliland and Charles Alter from the Kansas Dept. of Transportation.

Minutes of the June 2, 1993 regular meeting and June 9, 1993 adjourned meeting were approved as written.

APPROPRIATION ORDINANCE NO. 11

APPROVED

Appropriation Ordinance No. 11 was approved according to law.

DONATION TO LOREN DOCHOW MEMORIAL FUND

Joe Jindra from KNCK-KCKS and Brenda Gilliland from Citizens National Bank were present to talk about the activities of the Beach Party at the Park on the weekend of June 12th. Mayor Robbins thanked them for their efforts and complimented the persons responsible for putting together the party saying that it was a "time to pull the community together." Following discussion, Mr. Jindra presented the City with a \$250.00 check to be deposited in the Loren Dochow Memorial Fund and used at the Sports Complex.

OFFICERS ROBERT ALDRIDGE AND VINCE CROUGH

RECOGNIZED FOR VALOR

Officer Robert Aldridge and Officer Vince Crough of the Concordia Police Department were recognized for their valor in a dangerous incident which occurred on February 29, 1992. Police Chief Budreau informed the Commission that these awards were recommended through the Kansas Police Chiefs organization after review of many situations.

AIRPORT ADVISORY BOARD APPOINTMENTS

City Manager Nienstedt presented recommendations for the restructuring of the Airport Advisory Board which would allow for no more than two vacancies in any year. The recommendations are as follows:

| <u>Expires</u> | <u>Name</u>     | <u>Address</u>    |
|----------------|-----------------|-------------------|
| 7-94           | Kirk Lowell     | 1220 Broadway     |
| 7-95           | Herman Hill     | Route 3, Box 179B |
| 7-95           | Ed Kilpatrick   | 104 E. 18th       |
| 7-96           | Terry Lambert   | 323 W. 14th       |
| 7-96           | Van Morrisette  | 631 E. 16th       |
| 7-97           | Dean R. Frazier | 513 W. 18th       |
| 7-97           | Bill Fellows    | 911 Republican    |

Mr. Nienstedt explained these recommendations had been made by the Airport Advisory Board and asked for the Commission's consideration. Following a brief discussion, Commissioner Bombardier moved to approve the restructuring of the Airport Advisory Board and the members as shown. Commissioner Hattan seconded. Motion carried unanimously.

VIADUCT AGREEMENT WITH KS. DEPT. OF TRANSPORTATION

SIGNED

Charles Alter with the KS. Dept. of Transportation brought the contract agreements the City had agreed to last August for signature. He said the contracts will be let on March 1, 1994 with construction to begin sometime after April 1, 1994. He said the "City will have a nice, new bridge in about 2 years."

The Mayor signed the contracts.

TIME CHANGE FOR WORK SESSIONS

Commissioner Hattan noted that he felt it was time to make a change in the time for work sessions. Following a brief discussion, Commissioner Hattan moved

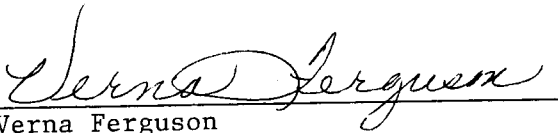
to change the work session time to 12:00 o'clock noon on alternating Wednesdays. Commissioner Robbins seconded the motion. Motion carried.

STUDY SESSION

DATE SET

The next study session was set for June 22, 1993, at noon.

There being no further business, Commissioner Robbins moved to adjourn the meeting. Commissioner Bombardier seconded. Motion carried.

  
Verna Ferguson  
City Clerk

(seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 7, 1993

The City Commission met in regular session on July 7, 1993, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK/KCKS, Brenda Sedlacek, Marshall Nienstedt, Robyn Nienstedt, Aimee Nienstedt, Sam Budreau, Rachel Cottam, Damian Nobert, Vince Crough, Kevin Campbell, Harriet Wahl, Armand Balthazor, Ken Campbell, Robert Aldridge & Jack Graves.

Minutes of the June 16, 1993, meeting were approved as written.

APPROPRIATION ORDINANCE NO. 12

APPROVED

Appropriation Ordinance No. 12 was approved according to law.

PICTURES OF OFFICERS CROUGH AND ALDRIDGE

Mayor Robbins asked that Officer Crough and Officer Aldridge to come forward and have their pictures taken in recognition for valor. The two were recognized on June 16, 1993, but the pictures needed to be retaken.

FINAL COSTS - CG-93-OLSON

APPROVED

The City Manager presented to the Governing Body the following itemized statement of the actual costs of: grading and guttering and removal of existing curbing and guttering adjoining the property described as Lots 2, 3, 4 in Block 51 and 26 feet of vacated 14th Street, all in the city of Concordia, Cloud County, Kansas, as authorized and ordered done by RESolution numbered 1115 of the governing body on April 7, 1993.

| <u>PROJECT CG-93-OLSON</u>          | <u>PROPERTY ASSESSMENT</u> | <u>CITY-AT-LARGE</u> |
|-------------------------------------|----------------------------|----------------------|
| Curb & Gutter Removal               | 339.75                     | 113.25               |
| 30" Concrete Curb & Gutter          | 1,245.75                   | 415.25               |
| Remove & Replace Asphalt & Pavement | 169.88                     | 56.62                |
| Subgrade preparation                | 169.88                     | 56.62                |
| Construction Staking                | 190.50                     | 63.50                |
| Engineering Services                | 37.50                      | 12.50                |
| Legal Publications                  | 47.53                      | 15.84                |
| Administration                      | 33.02                      | 11.00                |
| TOTAL COSTS                         | \$2,233.81                 | \$744.58             |
| TOTAL PROJECT COSTS                 | \$2,978.39                 |                      |

The statement was considered by the Governing Body and on a motion by Commissioner Bombardier, seconded by Commissioner Hattan and duly carried by the affirmative vote of all the members of the Governing Body, the total cost of the improvements were determined to be \$2,978.39. The City Clerk had determined the assessment against each lot, piece or parcel of land deemed to be benefited in the amount set forth in said resolution and had caused to be prepared an assessment roll according to the method of assessments set out in said resolution. On a motion by Commissioner Bombardier and seconded by Commissioner Hattan and duly carried, this Governing Body determined to meet and consider the proposed assessments on the 18th day of August, 1993, and the City Clerk was directed to cause such notice to be mailed to the property owner made liable to pay an assessment, at such owner's last known post office address, a notice of the hearing and a statement of costs proposed to be assessed.

FINAL COSTS - CG-92-SANDERS

APPROVED

The City Manager presented to the Governing Body the following itemized statement of the actual costs of: grading and guttering and removal of existing curbing and guttering adjoining the property described as Lots 5 - 7, Block 51 and 48' of vacated 15th Street, all in the city of Concordia, Cloud County, Kansas, as authorized and ordered done by Resolution numbered 1079 of the governing body on August 24, 1992.



| <u>PROJECT CG-92-SANDERS</u>           | <u>PROPERTY ASSESSMENT</u> | <u>CITY-AT-LARGE</u> |
|--|----------------------------|----------------------|
| Curb & Gutter removal                  | \$ 390.38                  | \$ 130.12            |
| New 30" concrete curb & gutter         | 1,301.25                   | 433.75               |
| Removal & replacement asphalt pavement | 260.25                     | 86.75                |
| Sub-grade preparation                  | 260.25                     | 86.75                |
| Staking & Engineering                  | 61.69                      | 20.56                |
| Publication                            | 44.42                      | 14.80                |
| Administration                         | <u>34.77</u>               | <u>11.59</u>         |
| TOTAL COSTS                            | \$ 2,353.01                | \$ 784.32            |
| TOTAL PROJECT COSTS                    |                            | \$3,137.33           |

The statement was considered by the Governing Body and on a motion by Commissioner Bombardier, seconded by Commissioner Robbins and duly carried by the affirmative vote of all the members of the Governing Body, the total cost of the improvements were determined to be \$3,137.33. the City Clerk had determined the assessments against each lot, piece or parcel of land deemed to be benefited in the amount set forth in said resolution and had caused to be prepared an assessment roll according to the method of assessments set out in said resolution. On a motion by Commisisoner Bombardier and seconded by Commissioner Robbins and duly carried, this Governing Body determined to meet and consider the proposed assessments on the 18th day of August, 1993, and the City Clerk was directed to cause such notice to be mailed to the property owner made liable to pay an assessment, at such owner's last known post office address, a notice of the hearing and a statement of costs proposed to be assessed.

BID AWARD - PROJECT WL-93-1RALPH HOOD CONTRACTORS

City Manager Nienstedt submitted a bid summary sheet for the construction of a ten-inch water line in the southern part of Concordia near Highway 81. The following bids were submitted:

| <u>CONTRACTOR</u>       | <u>BASE BID</u> | <u>ALTERNATE BID</u> |
|-------------------------|-----------------|----------------------|
| Derowitsch Construction | \$46,210.93     | \$54,508.00          |
| Ralph Hood Contractors  | 39,517.00       | 51,124.00            |
| Stevens Contractors     | 68,712.20       | 71,623.00            |

Following discussion of the project, Commissioner Bombardier moved to accept the base bid of Ralph Hood Contractors in the amount of \$39,517.00. Commissioner Robbins seconded. Motion carried unanimously.

KDOT STP FUNDSACTION TABLED

City Manager Nienstedt, in a prepared memorandum, advised the City Commission that \$946,000 in Federal -Aid Safety Funding was available for improvements between 13th & 18th Streets. He further advised that if the city chooses to participate, it would cost the City approximately \$1,000,000 in addition to the matching funds by KDOT and the city would be responsible for the design which has an estimated cost of \$600,00 and would be required to acquire the right-of-way along Highway 81. The right-of-way area along this route varies and no cost estimate has been prepared for that.

If the City does not accept these funds, the State will pay for the improvement through town when State funds are available. Mr. Nienstedt said that it appears that the most affordable option for the City is to wait and see when the State proposes beginning this phase of the project.

Following discussion, Commissioner Bombardier moved to table any action on this project at this time. Commisisoner Robbins seconded. Motion carried.

BICYCLES ON SIDEWALK PROBLEMHARRIET WAHL

Harriet Wahl was present to express her concern for pedestrians being struck by bicycles being ridden on the sidewalks. She felt that stricter enforcement of our present ordinances should occur. Police Chief Budreau advised he would have the person he has on parking control to help with this problem. Mrs. Wahl asked if the City couldn't put stenciling on the sidewalks advising that it is illegal to ride bicycles on the sidewalks. She said she felt she could get volunteers to do the work. All the commissioners were in agreement for volunteers to help with the project.

RESIGNATION OF CITY MANAGER


RICHARD NIENSTEDT

City Manager Richard Nienstedt submitted his resignation effective August 6, 1993. He will assume the duties of city manager of Ft. Scott, Kansas, on August 9, 1993. Mr. Nienstedt went on to say how much he appreciated the Commission and staff he had worked with since coming to Concordia in January of 1989. The Commission accepted his resignation. After accepting his resignation, the Mayor wished him well and each of the other city commissioners expressed their appreciation for working with them and offered congratulations.

CITY MANAGER COMMENTS

City Manager Nienstedt advised we had received the assessed valuations from the county clerk and they were lower once again even though appraised valuations are up.

There being no further business, Commissioner Hattan moved to adjourn the meeting. Commissioner Robbins seconded. Motion carried.

  
Verna Ferguson  
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 21, 1993

The City Commission met in regular session at 4:00 o'clock p.m. on July 21, 1993, in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Brad Lowell from The Blade-Empire, Joe Jindra from KNCK/KCKS, Brenda Sedlacek, Jack Graves, Armand Balthazor, Boyd Dochow and Sam Budreau.

Minutes of the July 7, 1993, meeting were approved as written.

APPROPRIATION ORDINANCE NO. 13

APPROVED

Appropriation Ordinance No. 13 was approved according to law.

PLANNING COMMISSION RECOMMENDATION

LAVERN CAIRNS REZONING

City Manager Nienstedt advised the Commission that the Planning Commission had met on July 13, 1993 to consider a rezoning request from Lavern Cairns for his property located between 4th & 5th Street on Olive. He had requested the zoning be changed from light industrial to heavy industrial. The Planning Commission's recommendation to the City Commission is that the zoning remain unchanged. The Planning Commission further recommended that some car repair work would be allowed at the location but that the salvage yard was not an allowed use in the light industrial zone.

Following discussion, Commissioner Bombardier moved to accept the Planning Commission recommendation. Commissioner Robbins seconded. Motion carried.

ORDINANCE NO. 2586 (TEMPORARY NOTES FOR WL-93-1)

PASSED

City Attorney Retter presented the following ordinance to the Commission.

An ordinance entitled "AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$40,000.00 OF THE TEMPORARY NOTES OF THE CITY OF CONCORDIA, KANSAS, TO PROVIDE FUNDS TO PAY THE COST OF: A 10-INCH WATER LINE BEGINNING AT THE FOLLOWING DESCRIBED POINT: SOUTH FROM THE EXISTING WATER LINE AT KANSAS AND 10TH STREET APPROXIMATELY 910 FEET TO THE NORTHEAST CORNER OF F & A PROPERTY, AND RUNNING THENCE IN A WESTERLY DIRECTION FOR APPROXIMATELY 360 LINEAL FEET, AND TERMINATING AT THE FOLLOWING DESCRIBED END POINT:

WHERE THE EXISTING 6-INCH CITY WATER MAIN IS ON THE EAST SIDE OF U.S. HIGHWAY 81 RUNNING IN A NORTH/SOUTH DIRECTION, ALL IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS (HEREINAFTER, 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. On roll call upon its passage, the following commissioners voted "Yea": Robbins, Bombardier and Hattan. "Nay": None. Motion carried unanimously.

BID AWARD-TEMPORARY NOTES ON WL-93-1

TRI COUNTY NATIONAL BANK

City Manager Nienstedt presented the bid tabulation on bids received on July 15, 1993 for \$40,000.00 in temporary notes to finance the construction of Project WL-93-1. The following bids were received:

| <u>BANK</u>              | <u>PERCENT<br/>OF INTEREST</u> | <u>ANNUAL INTEREST COST</u> |
|--------------------------|--------------------------------|-----------------------------|
| Tri-County National Bank | 3.24%                          | \$ 1,296.00                 |
| Citizen National Bank    | 3.65                           | \$ 1,460.00                 |
| UMB First Bank & Trust   | 4.70                           | \$ 1,880.00                 |

Following discussion, Commissioner Hattan moved to approve the bid of Tri-County National Bank with the bid of 3.24% interest. Commissioner Bombardier seconded. Motion carried unanimously.

QUARTERLY INVESTMENT REPORTS

ORDERED PLACED ON FILE

City Manager Nienstedt presented the second quarter investment reports to the Commission per Ordinance No. 1860. The interest received to date for the second quarter in 1993 is \$30,738.45 which is a decrease from 1992 of \$2,365.15. Mr. Nienstedt noted that the interest is 3.22% this year compared to 5.36% in 1992.

Following discussion, the Commission accepted the second quarter investment reports.

LICENSE APPLICATION FOR RETAIL OF CEREAL MALT  
BEVERAGE AND TO OPERATE A BEER GARDEN FOR FALLFEST

ELK'S CLUB

The City Clerk presented to the Commission an application from the Elk's Club for a cereal malt beverage and to operate a beer garden adjacent to the Elk's Club location as part of the Fallfest activities scheduled for September 25, 1993. Two licenses are required - 1) Class B Beer license, and 2) Beer garden license for the date and place.

Following discussion, Commissioner Bombardier moved to approve the license applications. Commissioner Hattan seconded. Motion carried.

1994 BUDGET MATERIALS PRESENTED

ACCEPTED

City Manager Nienstedt submitted the 1994 budget materials to the Commissioners for their review. The notice of the budget hearing was published July 22, 1993. Commissioner Robbins moved to accept the budget preparation materials. Commissioner Bombardier seconded. Motion carried.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Robbins moved that this meeting be recessed into a closed executive session to discuss personnel matters and that the City Commission would resume its meeting in 15 minutes or 4:23 p.m.

The City Commission reconvened at 4:23 p.m.

Commissioner Bombardier moved that this meeting be recessed again for an additional ten minutes into a closed executive session to continue discussion on the above matter. Commissioner Robbins seconded.

The City Commission reconvened at 4:30 p.m.

APPOINTMENT OF ACTING CO-MANAGERS

BUDREAU & FERGUSON


Following the executive session, Commissioner Robbins announced that Police Chief Howard "Sam" Budreau and City Clerk Verna Ferguson were appointed co-city managers from the time Richard Nienstedt's resignation until a new city manager could be hired. He further noted that applications for the city manager position would be taken through September 10, 1993.

STUDY SESSION

DATE SET

Commissioner Robbins requested that the next Study Session time be set at 6:00p.m. on July 28, 1993, due to his being out of town during the middle of the day and it would be difficult to make it back.

There being no further business, Commissioner Robbins moved to adjourn the meeting until 6:00 o'clock p.m. on July 28, 1993. Commissioner Bombardier seconded. Motion carried.

  
Verna Ferguson, City Clerk

(Seal)

VF:db

The City Commission met in adjourned session at 6:00 o'clock p.m. on July 28, 1993, in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioner Bombardier present. Absent: Commissioner Hattan.

Other officers present: City Manager Nienstedt, City Clerk Ferguson and City Attorney Retter.

Visitors present: Brenda Sedlacek, Judith A, McKee, Jack P. Graves, Armand Balthazor, Karen Dunlap, Susan Sutton, Everett Miller, Boyd Dochow and Dale Ferguson.

RESOLUTION NO. 1121 (WL-93-1)

PASSED

City Attorney Retter explained the need for approving a resolution setting out the guidelines for the issuance of \$40,000.00 in temporary notes to finance the construction of a water line in the south part of Concordia. The project number is WL-93-1. Following a short discussion, Commissioner Robbins moved to approve Resolution No. 1121. Commissioner Bombardier seconded. Motion carried.

There being no further business, Commissioner Bombardier moved to adjourn the meeting. Commissioner Robbins seconded. Motion carried.

VF:cp

(seal)

  
\_\_\_\_\_  
Verna Ferguson  
City Clerk

The City Commission met in regular session on August 4, 1993, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: Joe Jindra from KNCK/KCKS, Brad Lowell from the Blade-Empire, Eldon Wisdom, Kirk G. Lowell, Judith A. McKee, Sam Budreau, Armand Balthazor, Jack Graves, Arnold S. Krob, D.L. "Heavy" Layton, Ralph E. Campbell, Brenda Sedlacek, K. I. Menzies, Boyd Dochow, Rachel Cottam, Paul A. Johnson, John Dittmer and Dale Ferguson.

Minutes of the July 21st and July 29th, 1993, meetings were approved as written.

APPROPRIATION ORDINANCE NO. 14

APPROVED

Appropriation Ordinance No. 14 was approved according to law.

HEARING ON 1994 CITY BUDGET

HELD

Mayor Robbins opened the 1994 Budget Hearing as required by state statute.

Commissioner Hattan asked City Manager Nienstedt about the Fire and Ambulance Equipment Reserve funds and the period of time that counseling was required with the Fire Department in the settlement agreement. Mr. Nienstedt said the counseling can continue for up to 18 months depending upon the recommendations from the counselor.

The City Commission had many questions on the "American with Disabilities Act" and how it impacted the City Budget. Commissioner Hattan directed some of the questions to City Clerk Ferguson on the recommendations for making the City Hall accessible. Mrs. Ferguson stated this would require the following:

- 1) A chair lift from the sidewalk to the front doors - \$7,000;
- 2) Electronic Doors to enter the lobby - cost still unknown;
- 3) A chair lift from the lobby to the City Commission chambers, \$30,000;
- 4) Restructuring the existing two small restrooms just off the lobby and making one large restroom to accommodate a wheelchair.

Commissioner Hattan remarked that before the Commission would spend even \$30,000 to accommodate people getting up to the Commission Room, they would find a ground floor meeting room.

Following discussion on the 1994 Budget, Commissioner Bombardier moved to close the budget hearing. Commissioner Hattan seconded. Motion carried.

ORDINANCE NO 2587 (1994 CITY BUDGET)

ADOPTED

Following the hearing on the 1994 Budget, the following ordinance was presented.

An ordinance entitled "AN ORDINANCE APPROVING, ADOPTING AND APPROPRIATING BY FUND THE CITY OF CONCORDIA FOR THE YEAR BEGINNING JANUARY 1, 1994, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS" was read and considered by the Commission.

On roll call upon its passage, the following Commissioners voted "Yea": Robbins, Bombardier and Hattan. "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. 2587.

RESOLUTION NO. 1122 (REVISION OF 1994 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 year 1994. After a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Bombardier and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 1122 establishing pay grades for non-classified employees of the City of Concordia for year 1994 be approved.

RESOLUTION NO. 1123 (REVISION OF 1994 PAY GRADES FOR CLASSIFIED EMPLOYEES)

APPROVED

The City Manager presented to the City Commission a resolution establishing a schedule of pay grade for classified employees of the City of Concordia. After a brief discussion, motion was made by Commissioner Hattan, seconded by Commissioner Bombardier and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 1123 revising the 1994 schedule of pay grades for classified employees of the City of Concordia.

RESOLUTION NO. 1124 (CAPITAL IMPROVEMENTS PLAN 1994-1999)

APPROVED

City Manager Nienstedt presented to the Commission a resolution setting out a capital improvements plan for the City from 1994 through 1999. This plan serves as a plan for improvements that need to be made in the future.

Following a brief discussion, Commissioner Hattan moved to approve Resolution No. 1124 establishing a 5-year Capital Improvements Plan. Commissioner Bombardier seconded the motion. Motion carried.

SENIOR CITIZEN FUNDING REQUEST

BOYD DOCHOW

Boyd Dochow was present requesting funding assistance for their transportation stating that if the transportation was discontinued, many elderly people would not be able to get to the doctor or the grocery store. City Attorney Retter advised the City has a Home Rule as well as statutory authority to provide a grant of this nature. Commissioner Robbins asked if there were other plans to raise money for the Senior Citizen's needs. Mr. Dochow said they had had a bean supper and had put an ad in the paper to help them raise funds. They raised some money but not enough to carry them through until October when more money would become available from the County.

Following discussion, Commissioner Hattan moved to approve a \$5,000 emergency grant for use by the Senior Citizen Center. Commissioner Robbins seconded the motion. Motion carried.

EMPLOYMENT AGREEMENTS FOR CO-CITY MANAGERS

HOWARD S. BUDREAU  
VERNA FERGUSON

Co-City Manager Agreements were presented to the City Commission for Howard S. Budreau, Police Chief, and Verna Ferguson, City Clerk, to serve as interim city managers following the resignation of Richard U. Nienstedt, who will be leaving the City of Concordia August 7, 1993. Following discussion, Commissioner Robbins moved to approve the agreements. Commissioner Bombardier seconded. Motion carried unanimously.

ORDINANCE NO. 2588 (911 EMERGENCY TELEPHONE RATES)

PASSED

City Manager Nienstedt advised the Commission that the 911 telephone rates must be established each year. In 1992, the rates for the 243 exchange within the city limits was changed to .45 for each service line from a 2% charge on the base rate prior to that.

The Commission feels that all 243 numbers outside the city limits should contribute to the 911 costs because each 243 numbers benefits from the service. Sam Budreau was requested to visit with the County Commission about adding those 243 numbers to the benefit area. Mr. Budreau advised there are 506 243 numbers outside the city limits.

Following a discussion about the 911 emergency telephone rates, the following ordinance was presented.

An ordinance entitled "AN ORDINANCE ENACTED PURSUANT TO K.S.A. 12-5301, ET SEQ, AS AMENDED, RELATING TO EMERGENCY TELEPHONE SERVICE IN THE CITY OF CONCORDIA, KANSAS: AND ESTABLISHING THE EMERGENCY TELEPHONE TAX RATE, AS REQUIRED BY K.S.A. 12-5303 (c): AND ESTABLISHING THE FIRST BILLING PERIOD FOR SUCH ESTABLISHED RATE" was read and considered by the Commission. On roll call vote the following commissioners voted "Yea": Robbins, Bombardier and Hattan. "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. 2588.

CEREAL MALT BEVERAGE LICENSE - BRAD C. DEAL D/B/A LESTER'S SWEET SHOP

APPROVED

City Clerk Ferguson submitted an application from Brad C. Deal of Lester's Sweet Shop for a cereal malt beverage for consumption on the premises. Following discussion Commissioner Bombardier moved to approve the license. Commissioner Robbins seconded. Motion carried.

PUBLIC COMMENTS

D.L. "Heavy" Layton said that he had been a commissioner when Richard Nienstedt was hired and that he wished him well and was sorry to see him go.

Eldon Wisdom presented a "straw poll" that was taken at Monday night's Concerned Citizens Meeting. He said there was some interest shown in changing the form of City Government. He said he felt the opportunity was now from talking to others around town. He said he felt that people felt the city manager had too much power. City Manager Nienstedt told Eldon that charge was simply "not true." Commissioner Hattan said that the City Manager performed at the Commission's direction.

Commissioner Robbins reminded Mr. Wisdom that the people voted the Commission in and that they each served by the will of the people.

Mr. Wisdom said he felt there was a need for a commissioner from each ward. Commissioner Hattan said that he had served on the commission for 10 or 11 years and during that time, there had been a commissioner from every ward. Right now 3 of the 4 wards in town are represented. Armand Balthazor said he would like to have a commissioner from his ward. Izzy Bombardier reminded Mr. Balthazor that he was from the 4th ward, the same ward as Mr. Balthazor.

Eldon wanted to know if a choice could be made on a ballot. City Attorney Retter said that only one choice could be shown on a ballot even though there are several forms of Government available. He said that the terms of the Commission here in Concordia were staggered.

Eldon presented a ballot that had been taken at the Concerned Citizens meeting.

Three (3) voted for a City Manager with five (5) commissioners, with one (1) elected from each ward and one (1) elected at large.

Thirty-nine (39) voted for a Mayor-five (5) Commission form of government with one (1) elected from each ward and one (1) elected at large.

Eighteen (18) voted for five (5) Commissioners with a City Administrator form of government with one (1) elected from each ward and one (1) elected at large.

One (1) voted for three (3) commissioners with a City Administrator form of government.

Five (5) voted to keep everything the same with sixty-one (61) voting for some form of change.

The Commission accepted the poll.

Commissioner Hattan said that he was against election by wards because that tends to politicize the different boundaries in a town. He said that he felt that the Commission represented the City as a whole.

Heavy Layton said he failed to see any commission who didn't represent the whole city.

Greg said that he felt there is a need for professional managers and 3 was plenty.

Eldon said there was just general dissatisfaction with the commissioner-manager form of government.

Greg asked Eldon to be specific and name an area where he felt specific changes should be made.

Eldon didn't give any specifics just said general dissatisfaction.

Boyd Dochow said he felt the City Commission and city staff were doing a good job.

Arnold Krob said he was a vitally concerned citizen but he said the people in this town are "tearing our community apart." He said there seems to be a mean spirit in this community and a town or a nation, if divided, cannot stand. He worried that because of the attitudes of people in this community, we are losing our doctors, our teachers, etc. He noted the fact that Belleville has been able to recruit doctors as well as Osborne and Tribune. "Who ever heard of Tribune?" he said and they have recruited a new doctor.



Kirk Lowell said he wondered how the community could stop the personal attacks on people. He said these people like Richard Nienstedt and City Attorney David Retter have wives and families who have been subjected to personal attacks in these newsletters and he felt strongly that this is wrong. Kirk wondered where to begin the healing process. He went on to say "I would offer that some of these people shouldn't be saying and doing some of the things they are doing."

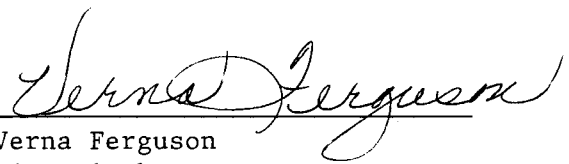
Rachel Cottam said we should vote.

Eldon Wisdom said the meeting time was a problem.

Ralph Campbell said he was not unhappy with the Commission-Manager form as it is...he felt the people should be informed.

Following a long discussion...Commissioner Robbins moved that the Commission adjourn to the Brown Grand Theater to discuss the maintenance problems there. The Commission had made an appointment to meet with the Board members of the Brown Grand at last week's work session. Commissioner Hattan seconded. Motion carried.

(seal)

  
Verna Ferguson  
City Clerk

The City Commission met in regular session at 4:00 o'clock p.m. on August 18, 1993, in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioner Bombardier present. Absent: Commissioner Hattan.

Other officers present: Co-City Manager Budreau, Co-City Manager Ferguson and City Attorney Retter.

Visitors present: Brad Lowell from The Blade-Empire, Neil Losh from KNCK-KCKS, Armand Balthazor, Harriet Wahl, Clay A. Randel, Brenda Sedlacek, Jack Graves, Judith A. McKee and Bob Burns.

Commissioner Bombardier moved to approve the minutes of the August 4, 1993, meeting. Commissioner Robbins directed the City Clerk to change the minutes to show that he favored a 5-member commission.

APPROPRIATION ORDINANCE NO. 15

APPROVED

Appropriation Ordinance No. 15 was approved according to law.

ASSESSMENT HEARING - CG-92-SANDERS

HELD

The Mayor announced that this was 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: Grading, curbing and guttering, and removal of existing curbing and guttering on the western boundary of the existing pavement on that portion of platted State Street and vacated portion of 14th Street adjoining property known as 1415 State Street, with all property located within the city of Concordia, Cloud County, Kansas, as authorized by Resolution No. 1079 of this Governing Body adopted August 19, 1992, 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. Co-Manager Ferguson advised that she had been contacted by Lisa Sanders with the request that the cost of the assessments be put on the tax rolls.

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 Bombardier, seconded by Commissioner Robbins and duly carried by the affirmative vote of two-thirds of 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. 2589 (CG-92-SANDERS)

PASSED

An ordinance entitled "AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENT THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF: GRADING, CURBING AND GUTTERING, AND REMOVAL OF EXISTING CURBING AND GUTTERING ON THE WESTERN BOUNDARY OF THE EXISTING PAVEMENT ON THAT PORTION OF PLATTED STATE STREET AND VACATED PORTION OF 14TH STREET ADJOINING LOTS TWO (2), THREE (3), AND FOUR (4) IN BLOCK FIFTY-ONE (51) AND TWENTY FEET (20') OF VACATED 14TH STREET, ALL IN THE ORIGINAL PLAT OF THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS. ACCORDING TO THE RECORDED PLAT THEREOF" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Robbins and Bombardier. "Nay": None. With two-thirds of the Commission-elect having voted in favor thereof, the ordinance was declared passed, the title agreed to and the city clerk assigned to it No. 2589.

APPOINTMENT TO THE PLANNING COMMISSION

DIANA CAREY

Co-Managers Budreau and Ferguson presented to the City Commission a recommendation from the Planning Commission that Diana Carey be appointed to the Planning Commission to fill the vacancy resulting from the resignation of Rachelle Hower. After a brief discussion, Commissioner Robbins moved to appoint Diana Carey to fill this unexpired term to November 1, 1994. Commissioner Bombardier seconded. Motion carried.

AUTHORIZATION FOR HOWARD S. BUDREAU & VERNA FERGUSON  
TO SIGN DOCUMENTS PERTAINING TO CDBG

APPROVED

Commissioner Bombardier moved to authorize Howard S. Budreau and Verna Ferguson as co-managers of the City of Concordia to sign documents pertaining to the needs of the City's Community Development Block Grant. Commissioner Robbins seconded. Motion carried.

ORDINANCE NO. 2590 (STANDARD TRAFFIC ORDINANCE)

PASSED

City Attorney Retter advised the Commission that the Standard Traffic Ordinance No. 2536 passed on December 6, 1989, needed to be updated for the city to be in compliance with new state regulations. Following discussion, the following ordinance was presented.

An ordinance entitled "AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES", EDITION OF 1993, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONAL PROVISIONS; PROVIDING CERTAIN PENALTIES AND REPEALING EXISTING SECTIONS 23-1 THROUGH 23-6, INCLUSIVE, OF THE CONCORDIA CODE" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Robbins and Bombardier. "Nay": None. With two-thirds of the Commission-elect having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2590.

UPDATE ON CORVON CARPENTER BUILDING ON EAST 6TH STREET

Co-Manager Ferguson advised that Mr. Carpenter had advised that Burton Gerard is attempting to get the building torn down by August 30th. Following that, Rex Gerard will finish filling the hole with the anticipated completion by the end of September.

PELLA BUILDINGS

T-HANGAR CONSTRUCTION

Co-Manager Budreau advised that he had met with City Attorney Retter to discuss whether or not to extend the time for submission of the foundation plans from Mr. Keith Goodyk of Pella Buildings. City Attorney Retter has written Mr. Goodyk indicating the time can be extended to August 25, 1993.

UPDATE ON SIGN SOUTH OF CONCORDIA

Co-Manager Ferguson advised she had visited with Dennis Southwick. He has indicated that he will contact us soon after school starts as the art students involved have not been in touch with him since the end of the school year.

PUBLIC COMMENTS

ENFORCEMENT OF BICYCLE RIDING ON SIDEWALK

HARRIET WAHL

Harriet Wahl was present to ask the Commission to put some teeth in law regarding bicycle riding on the sidewalks. She said that she and other volunteers had completed the stenciling on corners of the downtown sidewalks advising that bicycle riding on sidewalks is illegal and noting the city code. She feels that many parents and children are simply not aware of the ordinance. She would like to have the City put an ad in the Blade and on the radio 2 or 3 times to make parents and children more aware. She requested money from the City Commission for just such ads.

Commissioner Robbins moved to approve an expenditure of not more than \$100.00 for the ads. Commissioner Bombardier seconded. Motion carried.

Mrs. Wahl also commented that young people need to know now that if you don't follow the law, what the consequences can be. City Attorney Retter said that offenses would not be prosecuted in Municipal Court, but would have to be prosecuted through Juvenile Court.

EXPLANATION OF 5 MEMBER COMMISSION

ARMAND BALTHAZOR

Armand Balthazor asked for an explanation of a 5 member city commission. Mr. Retter advised that to change the form of government a petition process would have to be used that would call for an election. Armand said he was not for changing the manager form, but thinks we need 5 commissioners. Commissioner Robbins said that "it would make sense to upgrade the Commission to 5".

A lengthy discussion followed.

FEMA GRANT UPDATE

BRENDA SEDLACEK

Co-Manager Budreau advised that Brenda Sedlacek, Planning Director, had submitted a grant to FEMA (Federal Emergency Management Assistance) for Concordia to receive grant funds to help defray the costs of sanitary sewer repair, storm sewer repair and mosquito foggings which were a direct result of the excessive rain received this summer.

DISCUSSION OF FUNDS TO EXTEND BROADWAY STREET

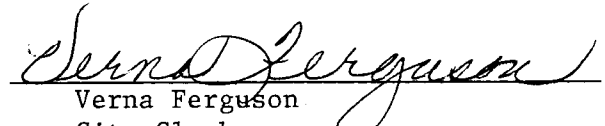
Commissioner Robbins asked if anything more had been done on the extension of Broadway Street. Co-Manager Budreau advised that Director of Streets Tom Fisher had researched this and had talked with Bucher & Willis. The Commission advised they wanted to pursue this project.

STUDY SESSION

----- DATE SET

The Commission set the date of August 25, 1993, at 6:30 p.m. as the next Study Session.

There being no further business, Commissioner Robbins moved to adjourn the meeting. Commisisoner Bombardier seconded. Motion carried.

  
Verna Ferguson  
City Clerk

(Seal)

The City Commission met in Special Session at 6:30 o'clock p.m. on August 25, 1993, in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: Co-Manager Budreau, Co-Manager Ferguson and City Attorney Retter.

Visitors present: Brenda Sedlacek, Walt Huber, Susie Haver, Jack Graves, Oscar Valenzuela, Bob Burns, Armand Balthazor, Charlie Bowers, Ethel Henthorne and Dale Ferguson.

City Attorney Retter advised the Commission that the Call for the Special Commission meeting be entered, at length, in the minutes.

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

TO THE BOARD OF CITY COMMISSIONERS:

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

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

Date: August 25, 1993

Time: 6:30 o'clock p.m.

The object of said meeting will be as follows:

1. Call to Order.
2. Consideration Planning Commission Recommendation.

Motion \_\_\_\_\_ Second \_\_\_\_\_

3. Proposed Executive Session to Discuss Attorney-Client matters.
4. Adjournment to Work Session immediately following.

/s/ LaVern C. Robbins  
Mayor

/s/ Isadore Bombardier  
Commissioner

/s/ Gregory L. Hattan  
Commissioner

"NOTICE OF SPECIAL CITY COMMISSION MEETING  
CITY OF CONCORDIA, KANSAS

TO: LaVern C. Robbins, Isadore Bombardier & Gregory L. hattan:

You are hereby notified that there will be a special meeting of the Board of Commissioners at 6:30 o'clock p.m. on the 25th day of August, 1993, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

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

Date: August 25, 1993

Time: 6:30 o'clock p.m.

The object of said meeting will be as follows:

1. Call to Order.
2. Consideration Planning Commission Recommendation.
3. Proposed Executive Session to Discuss Attorney-Client Matters.
4. Adjournment to Work Session immediately following.

(Seal)

To Any Person Authorized to Serve Notice of 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(s) LaVern C. Robbins, Isadore Bombardier and Gregory L. Hattan, or to leave said notice at the usual place of residence of said Commissioner before 2:00 o'clock p.m. on the 25th day of August, 1993, and to make a return in writing of said service, showing the manner of such

RETURN OF SERVICE

The undersigned received the original notice of special city commission meeting, of which the foregoing is a copy at, 6:52 o'clock p.m., August 23, 1993 (LaVerne C. Robbins); 10:05 o'clock p.m. on the 23rd day of August, 1993 (Gregory L. Hattan); and 8:30 o'clock a.m. on the 24th of August, 1993 (Isadore Bombardier).

1. Served the same personally on LaVern C. Robbins. /s/ Verna Ferguson.
2. Served the same personally on Gregory L. Hattan. /s/ Verna Ferguson.
3. Served the same personally on Isadore Bombardier. /s/ Verna Ferguson.

REZONING OF PROPERTY IN DRAKE'S ADDITION

APPROVED

Planning & Zoning Director Brenda Sedlacek was present to discuss the Planning Commission's recommendation to rezone property owned by Charlie and Elaine Bowers in Block 2 of Drake's Addition from "C" Neighborhood Shopping District to "C-S" Highway Service District. Carlie and Elaine Bowers own Concordia Auto Mart which is currently operating as a non-conforming use and they wish to expand their business and in order to do that, the property must be re-zoned. She further explained the Planning Commission had met on August 10, 1993, and it was their recommendation that the application for rezoning be approved.

Charlie Bowers was present at the meeting to answer the Commissioners questions about the expansion of his business and also his wish to vacate the alley adjacent to his property.

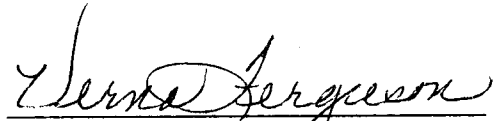
Following discussion, Commissioner Robbins moved to approve the recommendation of the Planning Commission and further directed the City Attorney to draft an ordinance to change the zoning and zoning map to reflect the change. Commissioner Hattan seconded the motion. Motion carried.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Bombardier moved that this meeting be recessed into a closed executive session to discuss attorney-client matters pertaining to claims against the City and that the City Commission would resume this open meeting at 6:50 p.m. Commissioner Robbins seconded the motion. Motion carried.

The City Commission reconvened at 6:45 p.m.

There being no further business, Commissioner Robbins moved to adjourn the meeting. Commissioner Hattan seconded. Motion carried.

  
Verna Ferguson  
City Clerk

(Seal)

The City Commission met in regular session on September 1, 1993, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: Co-Manager Budreau, Co-Manager Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK-KCKS, Brad Lowell from The Blade-Empire, Robert Burns, Mak McGaughey, Jack Krager, Clay Randel, Jack Graves, Brenda Sedlacek, Oscar Valenzuela, Brenda Gilliland, Bernard Newell and Lee Lowell.

Minutes of the August 18, 1993 and August 25, 1993, meetings were approved as written.

APPROPRIATION ORDINANCE NO. 16

APPROVED

Appropriation Ordinance NO. 16 was approved according to law.

ORDINANCE NO. 2591 (RE-ZONING 915 E. 6TH)

PASSED

Zoning Director Brenda Sedlacek was present to request the City to approve an ordinance to rezone property owned by Charlie & Elaine Bowers at 915 E. 6th Street from a "C" Neighborhood Shopping District to "C-S" Highway Service District. This change had been recommended to the City Commission from the Planning Commission. City Attorney Retter has prepared the following ordinance:

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 vote the following commissioners voted "Yea": Robbins, Bombardier and Hattan. "Nay": None. With all the commission-elect having voted in favor thereof, the ordinance was passed and the City Clerk assigned to it No. 2591.

PETITION TO VACATE THE ALLEY IN BLOCK 2, DRAKE'S ADDITION

ACCEPTED

Following a request from Charlie and Elaine Bowers, the City Commission has petitioned the alley in Block 2, Drake's Addition be vacated in order to facilitate the Bowers' expansion to their business. The notice of hearing has been published and the property owners notified. The hearing date is scheduled for September 8th. Following discussion, Commissioner Hattan moved to accept the petition. Commissioner Bombardier seconded. Motion carried unanimously.

LEASE AGREEMENT RENEWED

NATIONAL WEATHER SERVICE OFFICE

Co-Manager Ferguson presented the renewal of the lease agreement with the National Weather Service office which provides payment of \$13,800.00 per year to the city for office space located at Blosser Municipal Airport. The new lease is for a three year period rather than a five year period which the previous lease was for.

Following discussion, Commissioner Bombardier moved to renew the lease with the National Weather Service and authorized the mayor to sign it. Commissioner Bombardier seconded. Motion carried unanimously.

RESOLUTION NO. 1125 (NUISANCE ABATEMENT - 805 CHURCH)

PASSED

Mayor Robbins 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 nuisances exist at the following location:

1. 805 Church - Resolution No. 805 Church (Fred Hake)

Co-City Manager/Police Chief Sam Budreau advised the vehicles and car parts were still there but that Fred Hake, the owner, had requested a 2 week extension to the original abatement. Commissioner Hattan moved, seconded by Commissioner Robbins and duly carried to approve this resolution with an additional 14 days given for clean-up.

ANNUAL OPERATION AND MAINTENANCE ASSURANCE STATEMENT

PARK DEVELOPMENT

The annual statement required by the Kansas Department of Wildlife and Parks was presented to the Commission. Commissioner Hattan moved to authorize the Mayor to sign the annual statement. Commissioner Bombardier seconded. Motion carried.

AMBULANCE SERVICE CHARGE-OFFS - 7-1-92 thru 12-31-92

APPROVED

Ambulance service charge-offs were approved in the amount of \$10,292.39 for the period of July 1 through December 31, 1992. Most of this amount can be attributed to the amount that Medicare and Medicare approves and the amount they actually pay.

CLOUD COUNTY COMMUNITY COLLEGE

AGREEMENT FOR USE OF SPORTS COMPLEX

Co-Manager Ferguson presented the interlocal agreement for use of the Sports Complex between the City of Concordia and Cloud County Community College. The fee of \$800.00 per year is to remain the same. Following a brief discussion, Commissioner Hattan moved to approve the agreement. Commissioner Robbins seconded. Motion carried unanimously.

FIRE TRUCK PURCHASE

APPROVED

Fire Chief Jack Graves had prepared a proposal and need for the purchase of a different fire truck stating that a ten year old 1984 Ford Pierce Pumper truck was for sale by the Overland Park Fire Dept. The Commission had discussed this proposal at the work session held August 25, 1993. Following discussion, Commissioner Bombardier moved to issue a check to the Overland Park Fire Dept., Inc. in the amount of \$56,000.00. Commissioner Hattan seconded. Motion carried unanimously.

FIREFIGHTERS RELIEF ASSOCIATION LOAN FOR PURCHASE OF FIRE TRUCK

APPROVED

City Attorney Retter had prepared a Loan Warrant in the amount of \$40,000.00 pursuant to K.S.A. 40-1707(f) to purchase the 1984 Ford Pierce Pumper fire truck. This Loan Warrant requires the signature of all the governing body members, the city attorney and the officers of the Firefighters Relief Association. Following a discussion, Commissioner Bombardier moved to approve the Loan Warrant between the City and the Firefighters Relief Assoc. Commissioner Robbins seconded. Motion carried unanimously.

CONTRACT TO RENEW HEALTH INSURANCE

BLUE CROSS/BLUE SHIELD

Co-Manager Ferguson presented the contract for renewal of the group health care plan as submitted by Blue Cross Blue Shield. Following discussion, Commissioner Robbins moved to approve the contract. Commissioner Hattan seconded. Motion carried unanimously.

DELEGATES FOR THE 1993 LEAGUE CONFERENCE

Commissioner Hattan moved that Mayor Robbins and Co-Manager Ferguson be chosen as the voting delegates at the 1993 League of Municipalities Conference to be held in Overland Park in October, and that Commissioner Bombardier and Co-Manager Budreau be chosen as the alternate voting delegates. Commissioner Bombardier seconded. Motion carried unanimously.

ADA SELF-EVALUATION AND TRANSITION PLAN

APPROVED

Co-Managers Budreau and Ferguson submitted the ADA Self-Evaluation and Transition Plan as prepared by Brenda Sedlacek for their approval. Commissioner Hattan moved to accept the plan and authorize the Mayor and City Clerk to sign the plan. Commissioner Bombardier seconded. Motion carried unanimously.

FEMA GRANT UPDATE

Co-Manager Budreau submitted the grant application as prepared by Brenda Sedlacek for storm sewer repairs, sanitary sewer repairs, fogging and other storm related repairs. Brenda, along with Dir. of Streets Tom Fisher, had met with the representatives from FEMA to prepare the grant and discuss the eligibility of certain repairs. The Grant has been submitted and the City can expect grant funds in the near future.

PELLA BUILDINGS DEFAULT ON T-HANGAR CONSTRUCTION

Co-Manager Budreau advised the Commission that the City, through the City Attorney's office, had written Pella Buildings as well as their bond company, Armwest Surety Insurance Co. at Merriam, Kansas, to advise them that Pella Buildings had defaulted on their contract. Legal proceedings are underway to see that construction of these T-hangars might be completed before winter.



ARCHER STREET UPDATE

Co-Manager Budreau apprised the Commission on the status of Archer Street. The Street Department has started the grading and tree removal.

ARMORY PARKING

Co-Manager Budreau advised the Commission on the progress at the Armory on the parking problem.

TEMPORARY NOTES SOLD ON WL-93-1

Co-Manager Ferguson advised the Commission that the transcript and notes had been delivered on the WL-93-1 project and the bank had purchased the notes on August 31.

COMMENTS

Commissioner Hattan questioned Chief Graves about the mutual aid agreements between Clyde and Belleville with the City of Concordia.

Commissioner Robbins said he had a relative at Belleville who thought the 1959 Pumper truck sounded new... Belleville has a 1948 fire truck.

Commissioner Robbins asked about the entrances at Wal-Mart to alleviate the traffic in that area. Wondered about an entrance around 15th Street.

Commissioner Hattan said he thought Wal-Mart qualifies for more than one entrance or at least a wider entrance. Wal-Mart executives, at one time, refused the wider entrance.

David Retter thanked the EMT's for their quick response and care in getting his son, Seth, to the airport prior to being air lifted to Children's Mercy Hospital in Kansas City.

Mayor Robbins thanked the firefighters for working together with the City in order to purchase the new fire truck.

Bob Burns, Assistant Fire Chief, thanked the Commission for their support in purchasing the fire truck.

Commissioner Hattan asked questions about a compost pile and wondered if it could be operated by the County at the landfill or transfer site. Also asked if there was a possibility of an extension of time before the landfill is closed.

There being no further business to come before the Commission, Commissioner Hattan moved to adjourn the meeting to September 8, 1993, at 6:30 o'clock p.m. Commissioner Robbins seconded. Motion carried.

  
Verna Ferguson  
City Clerk

(Seal)

Minutes of the Adjourned City Commission Meeting held on September 8, 1993 at 6:30 o'clock p.m. in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: Co-Managers Budreau, Co-Manager Ferguson and City Attorney Retter.

Visitors present: Judith A. McKee, Robert Steimel, Betty Losh, Brock Trembley, Elaine Bowers, Brenda Sedlacek, Dennis Southwick, Jack Graves, Clay Randel, Armand Balthazor and Vance Braun.

Minutes of the September 1, 1993 meeting were approved as written.

HEARING ON ALLEY VACATION

HELD

Charles & Elaine Bowers had requested the City hold a hearing to vacate the alley in Block 2, Drake's Addition to the City of Concordia. Mayor Robbins noted that at this time a hearing be held to hear anyone interested in this vacation.

No one was present to object to the vacation. Elaine Bowers was present, but made no comment, to support the vacation.

Commissioner Hattan moved to close the hearing. Commisisoner Bombardier seconded. Motion carried unanimously.

ORDINANCE NO. 2592 (VACATION OF ALLEY IN BLOCK 2, DRAKE'S ADDITION)

PASSED

Following the hearing held above, City Attorney Retter presented the following ordinance.

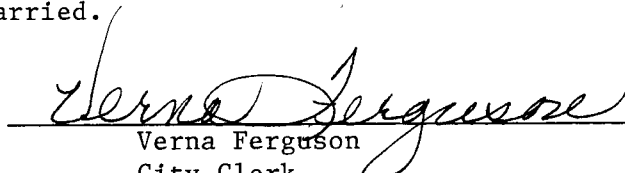
An ordinance entitled "AN ORDINANCE VACATING THE FOLLOWING: THAT PORTION OF THE ALLEY IN BLOCK TWO (2), DRAKE'S ADDITION, CONCORDIA, CLOUD COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF, BORDERED ON THE WEST BY THE EASTERN BOUNDARY OF THE FOLLOWING STREET: DRAKE STREET; AND ON THE EAST BY THE WESTERN BOUNDARY OF LOT (1), BLOCK TWO (2), DRAKE'S ADDITION, IF EXTENDED SOUTH, EXPRESSLY SAVING AND RESERVING FROM SUCH VACATION ANY LESSER PROPERTY RIGHTS FOR PUBLIC UTILITIES, RIGHTS-OF-WAY AND EASEMENTS FOR PUBLIC SERVICES ORIGINALLY HELD IN SUCH EASEMENTS, AS PROVIDED BY K.S.A. 12-505, AS AMENDED (HEREINAFTER THE "ALLEY") was read and considered by the Commission. On roll call upon its passage the following commissioners voted "Yea": Robbins, Bombardier and Hattan. "Nay": None. There being no objections thereto, the ordinance was declared passed and the City Clerk assigned to it No. 2592.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Hattan moved that this meeting be recessed into a closed executive session to discuss attorney-client matters pertaining to claims against the City and that the City Commission would resume this open meeting within 15 minutes. Time: 6:32 pm. Commissioner Robbins seconded the motion. Motion carried.

The City Commission reconvened at 6:40 p.m.

There being no further business, Commissioner Bombardier moved to adjourn the meeting. Commissioner Hattan seconded. Motion carried.

  
Verna Ferguson  
City Clerk

(Seal)

The City Commission met in regular session on September 15, 1993, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Commissioners Hattan and Bombardier present. Absent: Mayor Robbins.

Other officers present: Co-Manager Budreau, Co-Manager Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK/KCKS, Brad Lowell from The Blade-Empire, Judith A. McKee, Richard U. Nienstedt, Clay A. Randel, Betty Losh, Robert Steimel, Brenda Sedlacek and Jack Graves.

Minutes of the September 8, 1993 Adjourned Commission meeting were approved as written.

APPROPRIATION ORDINANCE NO. 17

APPROVED

Appropriation Ordinance No. 17 was approved according to law.

STATUS OF CEMETERY LOTS

Commissioner Hattan asked Director of Grounds McKee about how many spaces could be added to the cemetery by moving the old water lines. Judith advised approximately 186 spaces.

HATTAN NAMED ACTING MAYOR

City Attorney Retter advised the Commission that one of them needed to be named Acting Mayor in the absence of Mayor Robbins in order to legally sign the resolution and ordinance listed on the agenda. Following a brief discussion, Commissioner Bombardier moved that Gregory L. Hattan be appointed as Acting Mayor. Commissioner Hattan seconded. Motion carried.

ACCEPTANCE OF 1992 AUDIT REPORT

Robert Steimel and Betty Losh from Kennedy & Coe were present to answer any questions the Commission might have on the 1992 Audit. Mr. Steimel and Mrs. Losh were present at last week's work session to answer most of the questions. Following a brief discussion, Commissioner Bombardier moved to accept the 1992 Audit as presented by Kennedy & Coe. Commisisoner Hattan seconded. Motion carried.

APPROVAL OF AUDIT CONTRACT FOR 1994-1995-1996

KENNEDY & COE

At the work session held on September 15th, Robert Steimel from Kennedy & Coe was asked to present a 3 year contract to audit the accounts for the City of Concordia. Mr. Steimel psented the contract. Following discussion, Commissioner Bombardier moved to accept the contract with Kennedy & Coe. Commissioner Hattan seconded. Motion carried.

ORDINANCE NO. 2593 (DISINTERMENT FEES ESTABLISHED)

PASSED

City Attorney presented an ordinance establishing disintement fees as recommended by Director of Grounds Judith McKee. This fee structure was discussed at the work session held on September 15th. Following discussion, the following ordinance was presented.

An ordinance entitled "AN ORDINANCE SETTING FEES FOR DISINTERMENTS MADE IN PLEASANT HILL CEMETERY IN THE CITY OF CONCORDIA, KANSAS; AND AMENDING THE CONCORDIA CODE BY ADDING SECTIONS 8-24(4), 8-24(5) and 8-24(6)" was read and considered by the Commission. On roll call upon its passage the following commissioners voted "Yea": Hattan and Bombardier. "Nay": None. With two-thirds of the commission-elect having voted in favor thereof, the ordinance was passed, the title agreed to and the city clerk assigned to it No. 2593.

RESOLUTION NO. 1126 (HEARING DATE SET FOR DANGEROUS STRUCTURE)

VANCE O. BRAUN

City Attorney Retter presented a resolution to the Commission setting a hearing date and providing for publication of the notice of the hearing on a dangerous structure located at 514 Broadway and owned by Vance O. Braun. Following discussion on the matter, Commisisoner Hattan moved to approve Resolution No. 1126, seconded by Commissioner Bombardier and setting the hearing date for November 3, 1993, at 4:00 o'clock p.m. Motion carried.

UPDATE ON CAIRNS PROPERTY

Co-Manager Budreau advised that he, Brenda Sedlacek and Jack Graves had visited with Mr. Cairns on this date. The City is in the process of getting them to put up a fence around the property and to get rid of the trash. Some of the trash has been removed and Mr. Budreau advised he was going to have the property checked every two weeks to monitor the progress.

The City Commission met in regular session on October 6, 1993, at 4 o'clock p.m. in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: Co-Manager Budreau, Co-Manager Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK/KCKS, Brad Lowell from The Blade-Empire, Kirk G. Lowell, Judith A. McKee, Armand Balthazor, Jack Graves, Brenda Sedlacek, Jerry Bathke, Larry Blocklinger, Gail Engle, Susie Haver, Clay Randel, Ken Johnson, and Jan Engle.

Minutes of the September 15th, 1993 meeting were approved as written.

APPROPRIATION ORDINANCE NO. 18

APPROVED

Appropriation Ordinance No. 18 was approved according to law.

PROCLAMATION

FIRE PREVENTION WEEK

Fire Chief Jack Graves was present to ask the Commission to proclaim October 3-9, 1993 as National Fire Prevention week. The Mayor signed the proclamation.

CONSIDERATION OF CEMETERY PLANS

APPROVED

Previous to the meeting, Director of Public Grounds Judith McKee had submitted plans to extend the use of the Pleasant Hill Cemetery. She offered 3 options which included:

- 1) Install new irrigation system utilizing some of the existing system to reclaim approximately 294 spaces now unavailable due to waterlines.
- 2) Reclamations - Complete probing of spaces this fall to determine spaces that are available for burials in lots that we can reclaim.
- 3) Update old "For Sale" list. Re-contact owners on old list and re-confirm desire to remain on list. These letters have been sent.

The total cost of all of the above is estimated to be \$3,949.14.

Commissioner Hattan asked how many burials occur each year. Ms. McKee said that there were approximately 50 grave spaces sold each year.

Following discussion, Commissioner Robbins moved to approve Ms. McKee's plan as submitted. Commissioner Bombardier seconded. Motion carried.

KDOT LICENSE AGREEMENT FOR VIADUCT IMPROVEMENTS - PROJ. 81-15K-3389-01

APPROVED

Co-Managers Budreau and Ferguson submitted to the Commission four copies of a license agreement with KDOT for viaduct improvements along Highway 81. This license agreement provides the State the right to use the easements along the highway.

During discussion of the viaduct improvement, Director of Utilities Clay Randel informed the Commission of the City's obligation to move any water lines and sewer lines that lie in the public right-of-way at the time the State begins construction. The cost of moving these lines is estimated to be \$70,000.00.

Following discussion Commissioner Hattan moved to authorize the Mayor and City Clerk to sign the agreement. Commissioner Robbins seconded. Motion carried.

WAL-MART ENTRANCE PROJECT

DECISION TABLED

Co-Manager Budreau submitted plans to alleviate some of the traffic problems encountered at the Wal-Mart entrance.

Commissioner Hattan suggested that we not proceed with these plans unless Wal-Mart initiates the project. He said he felt that Wal-Mart could do it if they wanted to. Mr. Hattan is in favor of waiting a month to see the plans being submitted by Bucher, Willis & Ratliffe. He said the time table for those plans is they will be presented to the State on October 15th and on November 15th, the plans will be open to the public for comments. He feels that anything the City does at this time will be undone when the highway comes through town.

Following a lengthy discussion, Commissioner Bombardier moved to table the plans to widen the Wal-Mart entrance until the City knows what the State plans to do. Commissioner Hattan seconded. Motion carried.

KMU WORKSHOP

REPORT

Co-Manager Ferguson submitted a report from a KMU workshop that had been attended by Utility Cashier Cheryl Lanoue. The report contained information on water and sewer rates from other Kansas communities as well as other statistical information.

CONCORDIA 2000 AND BEYOND

LARRY BLOCHLINGER

Executive Director of the Chamber of Commerce Larry Blochlinger presented the completed 2000 and Beyond plan to the City commission and reported on the committee's recommendations for improvements to the City. Mr. Blochlinger explained the booklet was accomplished, in part, with a grant from Southwestern Bell Foundation in the amount of \$4,500 and with the help of many volunteers who served on committees.

AGREEMENT WITH KANSAS DEPT. OF REVENUE

POSTPONED

Co-Manager Ferguson provided an agreement with the Kansas Dept. of Revenue that sets out the procedures for them to collect uncollectible accounts. The commission asked that they take the information with them and that it be put on the agenda for the October 13th meeting.

BROWN GRAND

SUSIE HAVER

Susie Haver reported that the Brown Grand had received a grant from the Kansas Arts Commission in the amount of \$2,164. The grant will help defray the cost of installing a new boiler, removal of the old boiler and asbestos removal.

Commissioner Hattan moved to approve payment of \$2,164.00 for the City's share of the boiler replacement, making the sidewalk handicap accessible in front of the building, repairing a portion of the sidewalk in front of the building, and adding the building the City's snow removal list. Commissioner Robbins seconded the motion. Motion carried unanimously.

CABLE TV PRESENTATION

BRENDA SEDLACEK

Brenda Sedlacek presented to the Commission information providing for cities to regulate cable television. In order to preserve our right to regulate, we need to submit a Form FCC 328 prior to October 13th. The regulation rights retained by cities is very limited, but by filing this form it gives the City some time to investigate the need for regulation.

Gail Engle from Cablecom was present and said that he was unaware of the deadline for the City to become certified for regulation. He said his company had no intention of exceeding the benchmark rates as provided by the FCC.

Commissioner Hattan assured Mr. Engle that the City wanted to work with him and his company. That the City had worked with him many years before on cable TV regulations and there had been no major problems at that time.

Following discussion Commissioner Bombardier moved to authorize the Mayor to sign the FCC 328 for submission to the Federal Communications Commission. Commissioner Hattan seconded. Motion carried unanimously.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Hattan moved that this meeting be recessed into a closed executive session to discuss non-elected personnel matters and that the City Commission would resume its meeting in one hour. The time was 5:34 p.m.

The City Commission re-convened at 6:30 p.m.

Commissioner Hattan moved that this meeting be recessed for an additional hour to continue discussion on the above matter. Commissioner Robbins seconded.

The City Commission re-convened at 7:30 p.m.

Commissioner Hattan moved that this meeting be recessed for an additional 20 minutes to continue discussion on the above matter. Commissioner Robbins seconded.

The City Commission reconvened at 7:50 p.m.

Commissioner Robbins moved to adjourn the meeting until 6:30 p.m. on October 13, 1993 with a Study Session to follow the adjourned meeting. Commissioner Bombardier seconded. Motion carried.

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD OCTOBER 13, 1993

The City Commission met in adjourned session at 6:30 o'clock p.m. on October 13, 1993, in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: Co-Manager Ferguson, Co-Manager Budreau and City Attorney Retter.

Visitors present: Brenda Sedlacek, Judith McKee, Clay Randel, Jack Graves, Armand Balthazor and Dale Ferguson.

CONTRACT WITH KANSAS DEPARTMENT OF REVENUE

SETOFF PROGRAM

Co-Manager Ferguson submitted to the Commission a contract with the Kansas Dept. of Revenue called a "Setoff Program" which allows the City to submit uncollectible accounts to them for collection. Their fee is 20% of the collected amount. The City has to provide proof that we have made at least 3 attempts to collect the account before submission.

Following discussion, Commissioner Robbins moved to approve the contract. Commissioner Bombardier seconded. Motion carried.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Robbins moved that this meeting be recessed into a closed executive session to discuss non-elected personnel matters and the City would resume its meeting in 30 minutes. Commissioner Bombardier seconded.

The City Commission re-convened at 7:10 p.m.

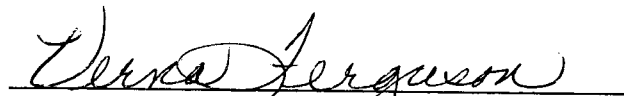
Commissioner Robbins moved that this meeting be recessed for an additional 30 minutes to continue discussion on the above matters. Commissioner Bombardier seconded.

The City Commission re-convened at 7:40 p.m.

Commissioner Bombardier moved that this meeting be recessed for an additional 20 minutes to continue discussion on the above matters. Commissioner Robbins seconded.

The City Commission reconvened at 8:00 o'clock p.m.

Commissioner Bombardier moved to adjourn the meeting. Commissioner Robbins seconded. Meeting adjourned.

  
Verna Ferguson, City Clerk

(SEal)

MINUTES OF THE REGULAR CITY COMMISSION HELD ON OCTOBER 20 ,1993

The City Commission met in Regular session on October 20, 1993, at 4:00 o'clock p.m. in the City present. Absent: None.

Officers present: Co-Manager Sam Budreau, Deputy City Clerk Phil Deneault and City Attorney Retter.

Visitors present: Joe Jindra from KNCK/KCKS, Brad Lowell from The Blade-Empire, Jone Rhys, Gail Engle, Judith McKee, Armand Balthazor, Clay Randel, Brenda Sedlacek, Jack Graves, Eldon Wisdom and Ramona Derausseau.

Minutes of the October 6th, 1993 and October 13th, 1993 meetings were approved as written.

APPROPRIATION ORDINANCE NO. 19

APPROVED

Appropriation Ordinance No. 19 was approved according to law.

1994 FUNDING AGREEMENT - Community Resources Council

APPROVED

The City of Concordia has available by budget authority certain funds derived from taxation under the K.S.A. 79-41a01. Ramona Derausseau was present to request the approval of an agreement between the City of Concordia and the Cloud County Community Resource Council for the calendar year of 1994. Represented by the Chemical Dependency Committee they wish to secure those funds that are available but not to exceed the budgeted amount of \$9,800.00. In consideration of the receipt of this amount CRC agrees to provide programs and services in the nature of the following:

|  |             |
|--|-------------|
| Public Education and Prevention<br>Programs and Agency Professional<br>Workshops, Literature, Films, etc.<br>and Advertising for Agency of<br>Community Events ..... | \$ 900.00   |
| Public School Districts .....  | 1,372.00    |
| Emergency Fund .....   | 196.00      |
| Agency Counseling & Treatment<br>for the Indigent:   |             |
| Pawnee Mental Health Serv., Inc. ....  | 1,568.00    |
| Kerrs Counseling .....   | 490.00      |
| Concordia Police Department .....  | 2,353.00    |
| City of Concordia (EAP) and other alcohol/<br>Drug Related Education/<br>Intervention projects   | 900.00      |
| Special Funds .....  | 2,022.00    |
| Total .....  | \$ 9,800.00 |

Brad Lowell from the Blade-Empire inquired if the money to fund these programs came from the State Liquor Tax. Co-Manager Budreau stated that these funds do come from the State Liquor Tax which goes into the City's Special Alcohol Program.

Following discussion Mayor Robbins moved to approve the funding agreement submitted by Ramona Derausseau for the CRC. Commission Bombardier seconded. Motion carried.

DISCUSSION OF DOWNTOWN BEAUTIFICATION

Jone Rhys was present to talk about downtown beautification. She said that she would like to see this done by utilizing volunteer work, donations through sponsorship programs and cooperation between the businesses and the community. Jone felt like the city could be a big influence and urged the city to join in the effort to encourage this project. The Commissioners reviewed pictures Jone brought to the meeting of downtown projects of other communities. The Commissioners agreed that this would be a worthwhile effort for the community. Jone stated she would like to see these improvements completed before the Prisoner of War Camp celebration in 1994. Some of the businesses in town have already began to make these improvements. Mayor Robbins said "this would show great pride in our community".

CABLECOM COMPLAINTS - DISCUSSION

Co-Manager Budreau opened the discussion on the loss of ABC on Concordia's current cable service. Because of many complaints, Brenda Sedlacek has been gathering information regarding the negotiations between NTV and Cablecom of Concordia. By obtaining this information the City hopes they will be better able to answer any questions regarding the loss of the ABC affiliate on Concordia cable system. By talking to the manager of NTV, the city found that out of 282 cable networks, 281 have come to an agreement. Concordia remains to be one cable system that has not been resolved. Gail Engle, manager of Concordia operations was present to answer any questions regarding this issue. Mr. Engle stated that they tried to negotiate with NTV. AT the current time the cable company that Gail Engle works for, that supplies Concordia with cable service, is not willing to pay NTV for the ABC affiliate which was on Channel 4. Their position is that they don't feel cable subscribers should have to pay for something that any non-subscriber can get out of the air for free. The Cable Consumer Protection Competition Act of 1992 states that broadcasters have a must carry status that is the right to be on a cable system in their Area of Dominate Influence (ADI) and by law the cable system in that area must put them there if they so desire or they have the option of negotiating retransmission consent which means the terms under which the cable system carries the broadcaster are negotiated. There are no guidelines to these negotiations only that they are open to negotiation. Mr. Engle stated that they have successfully negotiated with all of their other broadcasters. NTV is the only one they have not come to an agreement with. Gail said he could not understand why NTV could allow other cable systems to carry them without a charge but not the cable system that services Concordia. Mayor Robbins asked how the other surrounding communities were able to negotiate with NTV but not Concordia when they have the same cable systems. Mr. Engle explained that Beloit has the same cable system as Concordia but they fall outside the ADI boundaries of NTV and Concordia does not. If you are outside the broadcasters ADI's they do not fall under the must-carry status which means they do not have to carry that station unless they want to. If a cable system does fall outside the ADI of a broadcaster and wish to retransmit they still have to negotiate with that broadcaster. The ADI's were initially set up by Arbitron to determine viewing audiences for marketing purposes. For lack of better boundaries the FCC adopted these boundaries for the 1992 Cable Consumer Protection Competition Act on must-carry and retransmitting. Gail said it would be nice if we could get another ABC affiliate but there was another ruling by the FCC called the Non-Duplication, Protection Act. As a result of this a broadcasting station can request that no other ABC affiliate be allowed into the area which is designated by the FCC. For this reason the Concordia Cable System is not able to bring another ABC affiliate into this area. NTV would have to relinquish their Non-Duplication & Protection request for Cablecom to get another ABC affiliate. Cablecom is still reserving a channel for NTV if they would decide to come back into the cable system. Attorney Dave Retter asked Gail if he was at liberty to divulge any of the terms of the negotiations with other stations. Because of the Disclosure Act Gail said he was not able to give out that information. He said that information was not available to him anyway. Mayor Robbins asked Gail if negotiations were in a deadlock. Gail said he didn't think so, that they still had a channel open for them. There are laws under the 1992 Cable Act which state that cable systems, even if they agreed to pay a station for retransmission, cannot pass onto the subscriber the cost of those retransmissions for the first year and only any % of increases in the next two years. Even if the cable customers were willing to pay for the ABC station Cablecom could not regain any of the initial charges for up to three years. The cable system that carries Concordia negotiated 300 instances of carriage only six stations dropped out of their systems and only two of those systems completely lost an affiliate, one of those was Concordia.

To better explain the 1992 Cable Act, Gail brought to the meeting with him a video tape put together by the cable system. This video explained how the 1992 Cable Act affected cable subscribers and the cable systems.

In summary Commissioners Hattan said that the City has no authority in the franchise agreement with Cablecom to dictate what channels are on the cable system and that all comments regarding this should be directed to Gail Engle of Cablecom, Tom Basinger, Post Newsweek or Mitchell Bowles with NTV. We have no legal authority in the negotiations, however, we will continue to answer any questions we can concerning this but the city has no action to take on this matter.

CONSIDERATION OF NEW PHONE SYSTEMTABLED TO OCTOBER 27TH

Co-Manager Budreau presented to the Commissioners the bids on the new phone system for the city offices.

| <u>Bidder</u>            | <u>Base Bid</u> | <u>Alt. #1</u> |
|--------------------------|-----------------|----------------|
| United Telephone         | \$13,381.00     | -0-            |
| Advanced Telecom, Beloit | 8,404.00        | 11,076.00      |
| S.W.B                    | 11,437.98       | 12,776.01      |
| Twin Valley              | 8,792.00        | -0-            |



The two lowest bids received were Advanced Telecom out of Beloit for \$8,404.00 and Twin Valley from Miltonvale at \$8,792.00. The difference in the bid between Twin Valley and Advanced Telecom of Beloit is \$388.00. Background checks using references were done on both companies to determine the quality of their equipment and service. Both proved to be reputable companies and showed willingness to answer any questions the City asked. The changes for service provided by each of these companies are a little different but they both provide warranty up to one year. The City currently has a system provided by Twin Valley. Co-Manager Budreau recommended that the City go with Twin Valley even though their bid was higher, the main reason being that they are a company within Cloud County. Before awarding a contract to either company the Commissioners decided the City needed to get more information on the two companies that were being considered. Commissioner Hattan moved to table their decision until their next meeting on the 27th of October. Mayor Robbins seconded. Motion carried.

CONTRACT FOR SPORTS COMPLEX DIRECTOR

APPROVED

Commissioners reviewed the contract for the Director of the Sports Complex. Included in the contract are the Director's responsibilities, compensation and supervision. The Director's annual compensation will be \$4,500.00. Co-Manager Budreau stated that he had visited with Rex Strait and Rex had accepted the position for 1994. Co-Manager Budreau recommended the Commissioners approve the contract so that the Co-Managers and Rex Strait could both sign it.

Commissioner Hattan moved that the 1994 contract for Sports Complex Director be approved, Mayor Robbins seconded. Motion carried.

THIRD QUARTER INVESTMENT REPORT

Approved

Co-Manager Budreau presented the third quarter investment reports to the commission per Ordinance No. 1860. The interest received to date for the third quarter in 1993 is \$ 9,068.26 which is a decrease from 1992 of \$ 3,518.31. Mr. Budreau noted that the interest was considerably less than the last quarter because of long term-investments to generate higher interest.

There being no further question Mayor Robbins moved to approve the Third Quarter Investment Reports, Seconded by Commissioner Bombardier. Motion carried.

DISCUSSION - SWIMMING POOL REPORT

The annual pool report was reviewed. Co-Manager Budreau explained that attendance and revenues were up from the 1992 season but still not what was expected because of the weather. Pool revenues for 1993 were \$18,534.25 as compared to \$16,426.65 in 1992. Total expenditures for 1993 were \$49,580.75 compared to \$50,707.36 in 1992.

RESOLUTION NO. 1127 - NUISANCE ABATEMENT  
534 E. 6th - LLOYD RICE

PASSED

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

1. 534 E. 6th - Resolution No. 1127 (Lloyd Rice)

After some discussion Commissioner Hattan moved to abate 534 E. 6th on or before November 4, 1993. Commissioner Bombardier seconded the motion. Motion carried.

DISCUSSION - PROJECT INVENTORY ANALYSIS

At the October 6th meeting, Commissioner Hattan inquired as to how the City was going to finance water and sewer projects associated with the construction of a new viaduct, Co-Managers Budreau and Verna Ferguson put together some figures to explain the financial status of the water department and how the temporary notes could be paid off early. Currently the interest we are receiving on our idle funds is less than what we are paying for interest on the city's temporary notes. For this reason funds could be taken out of the Water Connect Fee Fund in the amount of \$50,000 to help retire the debt on two temporary notes for projects WL-93-1 (Well Transmission Line) and SS-91-1 (C-P Products). There is \$20,000.00 due on WL-91-1 and \$30,857.00 due on SS-91-1. The balance could be paid off through Special Projects. There is still \$40,000.00 outstanding on WL-93-1 (F & A). This temp note is due on 8-1-96 with the interest rate being 3.24%. The Commissioners agreed that these temporary notes be paid off earlier to free up money for other projects. Mayor Hattan stated that as soon as the money becomes available that is currently invested we retire those two temporary notes.

PUBLIC COMMENTS

Armand Balthazor wanted to know where the old fire truck was and what we were going to do with it.

Co-Manager Budreau explained that we did not get any bids on the fire truck and that it was the wrong type of truck for rural fire fighting. At this time the city did not know for sure what they were going to do with it. The City was hoping that one of the smaller surrounding towns might be able to use it. Mr. Balthazor had heard that it might be dismantled and he didn't really think that should happen since it's almost an antique.

Commissioner Hattan asked where the city was with the T-hangers at the airport. Dave Retter reported that he had sent out letters to the bonding company and the contractor letting them know that there would be no further negotiations that the contract was terminated. The reason for this was that the city had asked for one more set of plans and they came back seriously flawed. At this point the city is looking at the bonding company coming in and negotiating with the second lowest bidder. The bonding company is going to pay back the initial payment made to the initial contractor plus the difference between the two lowest bids and they will buy back the bond with the city.

Next Commissioner Hattan asked about the gasoline tank tightness test and where the city was at in regards to the new regulations. Mr. Hattan said he would like some information put together in regards to the tank testing and regulations. Commissioner Hattan then asked where the city was at with the Dutch Braun building. David Retter stated that he has asked the State to come down and look at the building for two reasons. The first being the possibility that an underground storage tank may exist and second the presence of asbestos on the premises. The reason for asking the State to come look at it was to keep the city from having to hire an independent contractor to audit the situation which would save the city a substantial amount of money. The city is currently on a waiting list for two weeks. Once the state has looked at the property and the city has received a report from the State then the city will be able to recommend what should be done with the existing property. Mr. Retter explained that what the city is trying to accomplish is to keep the city from having to demolish the building or hiring a contractor to demolish the building. The city would then have to assess those costs against the property and potentially not get the money back when it is sold at a tax sale. This puts the city in the position of being the banker for this project. What the city is looking at is a strategy that avoids the city becoming the banker for this project, instead use the state and the property owner to facilitate this project.

Co-Manager Budreau was then asked by Commissioner Hattan to give an update on the drug situation in Concordia and Cloud County. He wanted to know if being a part of the anti-drug task force changed the way that drug crimes are being investigated. Mr. Budreau explained that intercepting the drugs when they are being transported is one of the major ways they are trying to slow down the drug traffic. By being a part of this task force, there is a lot more money and manpower available for interdiction as a means for dealing with drug related crime. The task force and other officers have driven the drug activity a lot further underground than it used to be. The problem with driving it underground further is it's harder to infiltrate those people involved in the sale of drugs because they have become so close knit they don't let any outsiders in. Because the drug activity is driven underground further it does not mean that the drug problem does not exist any longer. Only that it makes it hard for law enforcement with the resources and manpower it has to do anymore than what it has already done. Chief Budreau stated that they are also using the D.A.R.E. program in an effort to educate children about the use of drugs. Through the use of interdiction, undercover operations and D.A.R.E. program the city is hoping to make a major impact on drug related crime in this area.

Armand Balthazor had some questions concerning some expenditures on Ord. #19. Co-Manager Budreau gave Armand an explanation for those expenditures in question.

Everett Morgan asked what exactly is happening with the landfill. Commissioner Hattan explained that the deadline was Oct. 1, 1993 but they received an extension for six months. Basically there would be a transfer station built at some point in time. The County would be better able to answer any questions he had in regard to this matter.

#### COMMISSION INTO EXECUTIVE SESSION

Commissioner Hattan moved that this meeting be recessed into a closed executive session to discuss non-elected personnel matters and the city would resume its meeting in 30 minutes. Time: 5:40 p.m. Mayor Robbins seconded.

The City Commission reconvened at 6:10 p.m.

There being no further business Mayor Robbins moved to adjourn the meeting to October 27, 1993 with a study session to follow the adjourned meeting. Commissioner Bombardier seconded. Motion carried.



Phil Deneault, Deputy City Clerk

The City Commission met in adjourned session at 6:30 o'clock p.m. on October 27, 1993, in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: Co-Manager Budreau, Co-Manager/City Clerk Ferguson. City Attorney Retter arrived at 7:10 p.m.

Visitors present: Martin Molter, Janie K. Marcotte, Brenda Sedlacek, David Payne, Mike Payne, Karen Dunlap, Jack Graves, Judith A. McKee, Clay A. Randel, Dennis Southwick, Brock Tremblay, Kirk Lowell, Bernard Newell, Eldon Wisdom, Dale Ferguson and Armand Balthazor.

RE-ZONING OF PAYNE OIL PROPERTY

APPROVED

Karen Dunlap, Chairperson for the Planning Commission and David and Mike Payne representing Payne Oil Co. were present to answer any questions the Commission might have regarding the re-zoning of property owned by Payne Oil at 1700 East 6th Street. The Planning Commission had heard their request on October 12, 1993 and had approved the rezoning from C-S (Highway Service District) to I-2 (Heavy Industrial District). Brenda Sedlacek, Director of Planning and Zoning was also present to answer any questions.

Following a brief discussion, Commissioner Robbins moved to approve the rezoning request. Commissioner Bombardier seconded. Motion carried unanimously.

APPOINTMENTS TO PLANNING COMMISSION

DAVID ERICKSON  
JUDIE DEAL  
KEITH SHERWOOD

Co-Managers Budreau and Ferguson submitted the names of David Erickson, Judie Deal and Keith Sherwood for reappointment to the Planning Commission with terms to expire November 1, 1996. Brenda Sedlacek had contacted each of them and they each agreed to reappointment. Following Discussion, Commissioner Bombardier moved that the appointments be approved. Commissioner Robbins seconded. Motion carried.

REQUEST TO CHANGE HALLOWEEN DATE

DENIED

Bernard Newell was present representing several parents to change the date for Halloween this year citing his concerns about the change in Daylight Savings Time and the fact that it was Sunday evening. He requested the Commission change Halloween from Sunday night to Saturday night. After a lengthy discussion about the problems associated with changing the date, Commissioner Robbins moved to deny Mr. Newell's request and keep Halloween on October 31st. Commissioner Bombardier seconded. Motion carried unanimously.

BID AWARD ON NEW TELEPHONE SYSTEM FOR CITY HALL

ADVANCED TELECOM

Co-Managers Budreau and Ferguson submitted bids received on acquiring a new telephone system for the City Hall. The current system is no longer adequate and the Commission were advised that it had been purchased in May of 1984. The following bids were received:

| <u>BIDDER</u>              | <u>AMOUNT</u> |
|----------------------------|---------------|
| United Telephone Co.       | \$13,381.00   |
| Advanced Telecom           | 8,404.00      |
| Southwestern Bell          | 11,437.98     |
| Twin Valley Communications | 8,792.00      |

Following a lengthy discussion on the merits of the two lowest bidders, Commissioner Robbins moved to accept the low bid of Advanced Telecom in the amount of \$8,404.00. Commissioner Hattan seconded. Commissioner Bombardier abstained. Motion carried by two-thirds of the members-elect of the Commission.

BURNING OF TREE PILES

AUTHORIZED

Co-Manager Budreau advised the Commission that a pre-planning meeting to burn the tree piles which resulted from the July 8, 1992, storm had been held by City Staff. He further advised the Weather Bureau had been contacted as well as the Kansas Department of Health & Environment. The City crews will be installing a fire hydrant near the area in order to provide the volume of water needed in the event the wind changes or trouble arises.

The Commission approved the burning of the tree piles according to the plan

VIDEO SYSTEM FOR POLICE UNITSAPPROVED

Co-Manager/Police Chief Budreau requested the City acquire video systems for the police department. He added this addition could circumvent potential added liability to the City and would help resolve disputes and liability issues. Commissioner Hattan requested that the one unit be purchased this year and try to purchase the second unit in 1994 using a grant from the DUCLOS Foundation and monies from the Special Alcohol distribution the City receives from the State.

The Commission unanimously approved the purchase although no formal motion was made.

DIVING BOARDS FOR SWIMMING POOLAPPROVED

Director of Public Grounds Judith McKee was present to request the purchase of new diving boards for the swimming pool. She stated that she had checked into having the old boards x-rayed and learned the cost of that was nearly the cost of replacing the boards. Further, the recommended life of the diving boards is 10 years and we have already used our boards for 18 years.

Following a detailed discussion on the acquisition of the new diving boards, the Commission approved the purchase and Ms. McKee was authorized to order same.

KRIER PROJECT - CONCORDIA GYMNASTICSADDITIONAL DRIVEWAY

Co-Manager Budreau advised the Commission that Kirk Lowell, Director of CloudCorp had contacted the City regarding assistance with a second driveway at the new location for Concordia Gymnastics at 1830 E. 7th Street. The City's policy allows for the first entrance but she has requested assistance with the second entrance. Following discussion, Commissioner Hattan moved to allow the second entrance using funds from the Economic Development Fund. Commissioner Robbins seconded. Motion carried unanimously.

Following approval of this additional driveway, Kirk Lowell thanked the City Commission and City Staff for all their efforts in helping to get this building constructed.

Co-Manager Budreau also advised that he had had Director of Streets Tom Fisher provide him with an estimate of what this driveway would cost. Mr. Fisher said the cost would be approximately \$520.00.

APPEAL OF SIGN PERMIT DENIALJANIE MARCOTTE

Janie Marcotte was present to request the City Commission to rescind a decision by City Staff to disallow her to put a sign on property at 6th & Lincoln. She had placed the sign at this corner even though she had been unable to get the property owner's permission. The property in question has no owner of record that will acknowledge ownership. Section 15-8 of the Concordia City Code makes it unlawful for any person to put up any "advertisement or sign" on property without permission from the under. Also, Highway Advertising Control Act K.S.A. 68-2234 et seq, "signs shall conform to said statutes and meet the licsing requirements provided therein".

Commissioner Robbins said even though the City Commission sympathized with her problem, they would not change the decision of City Staff, but would work with her in an effort to get the problem resolved. He suggested she contact the manager of E-Z Shop and work with them in putting a sign on that property. Kirk Lowell also offered to help her even though statutes would not allow placement of the sign where she originally had placed it.

SIGN DESIGN COMPLETED FOR SOUTH OF CONCORDIA

Dennis Southwick and Brock Tremblay were present to display their final design for the sign to be located south of the entrance to Concordia on Highway 81. Judith McKee advised the size of the sign had been changed to 16' by 32' and that space would be available for various logos along the bottom. The Commissioners approved the design and authorized City Staff to obtain bids for the painting of the sign.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Hattan moved that this meeting be recessed into a closed executive to discuss non-elected personnel matters and land acquisition and the city would resume its meeting in seventeen minutes. The time 7:43 p.m.

The City Commission reconvened at 8:00 o'clock p.m.

Commissioner Robbins moved to adjourn the meeting. Commissioner Bombardier seconded. Motion carried.

The City Commission met in regular session on November 3, 1993, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Hattan and Bombardier present. Absent: None.

Other officers present: Co-Manager Budreau, Co-Manager Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK-KCKS, Brad Lowell from The Blade-Empire, Judith A. McKee, Brenda Sedlacek, Clay A. Randel, V. "Dutch" Braun, Jack Graves, Bob Ballard and Armand Balthazor.

Minutes of the October 20th and October 27th, 1993, meetings were approved.

APPROPRIATION ORDINANCE NO. 20

APPROVED

Appropriation Ordinance No. 20 was approved according to law.

VANCE "DUTCH" BRAUN BUILDING AT 514 BROADWAY HEARING

CONTINUED

The Mayor announced that a hearing was being held to determine the condition of Vance "Dutch" Braun's building at 514 Broadway and whether or not the City should pass a resolution requiring the repair or demolition of said building. Co-Manager Budreau advised the building is in desperate need of repair or removal based on an evaluation done by Eric Johnson, an engineer for the City. Brenda Sedlacek said that she had toured the building site with a representative from Kansas Department of Health and Environment (KDHE) looking for asbestos. No asbestos was found.

Mr. Budreau explained the City's primary concern was safety. Especially in the event of heavy snow this winter and the City would like to see something done before winter snows.

Mr. Braun said he felt the building was fairly sound citing steel beams.

City Attorney Retter reminded the Commission of two other buildings in the community that had been torn down. He cited the Carpenter and Rite-Way Laundry buildings. In this case, the City required the demolition and as long as the owners made an effort to get the buildings down, the City cooperated with them.

After much discussion, Commission Hattan moved that the hearing be continued until November 17th to give Mr. Braun time to get a bid from a contractor to tear down the building. Commissioner Robbins seconded. Motion carried unanimously.

ENGINEER'S ESTIMATE (WL-93-2)

APPROVED

Co-Manager Budreau presented to the Commission an engineer's estimate of cost for the relocation of a 6-inch waterline connected with the reconstruction of the viaduct on Highway 81, all located within the City of Concordia, Cloud County, Kansas. The engineer's estimated is in the total amount of \$10,088.00 with 100% of the costs to be assumed by the city-at-large.

Commissioner Hattan asked about KDOT assuming some of the costs but was advised the City will be required to relocate this water line. Following discussion, Commissioner Bombardier moved to approve the Engineer's Estimate of Cost in the amount of \$10,088.00 for WL-93-2. Commissioner Robbins seconded. Motion carried.

ORDINANCE NO. 2594 (AUTHORIZING PROJECT WL-93-2)

PASSED

Following approval of the engineer's estimate, City Attorney Retter presented the following ordinance to authorize the project and noted that since Highway 81 is a main trafficway, K.S.A. 12-685 could be the authorizing statute for the project.

An ordinance entitled "RECONSTRUCTION AND RELOCATION OF A SIX-INCH WATER LINE AND APPURTENANCES ON THE NORTH EDGE OF FIFTH STREET, AT THE INTERSECTION OF FIFTH STREET AND LINCOLN STREET, 65 FEET EAST OF THE CENTER LINE OF LINCOLN STREET, AND 65 FEET WEST OF THE CENTER LINE OF LINCOLN STREET, ALL IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS (HEREINAFTER THE "IMPROVEMENT") was read and considered by the Commission. Commissioner Bombardier moved to approve Ordinance No. 2594. Commissioner Robbins seconded. Motion carried unanimously.

ORDINANCE NO. 2595 (ZONING CHANGE FROM C-S (Highway Service)  
TO I-2 (HEAVY INDUSTRIAL)

PAYNE OIL CO.

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 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. Commissioner Hattan moved to approve Ordinance No. 2595. Commissioner Bombardier seconded. Motion carried unanimously.

FIRE TRUCK AGREEMENT WITH BELLEVILLEAPPROVED

Co-Manager Budreau advised the Commission that the City of Belleville is interested in our 1959 Fire Truck. Fire Chief Graves had contacted them and advised they were willing to maintain, repair and fix it as needed; maintain insurance and replacement coverage; provide mutual aid response to the City of Concordia if the agreement is approved and when they no longer wished to use the truck, it would be returned to the City for final retirement to the Cloud County Museum.

Commissioner Robbins noted that in one year the fire truck would qualify for an antique license anyway.

Following discussion, Commissioner Robbins approved the agreement of the fire truck going to the City of Belleville. Commissioner Bombardier seconded. Motion carried unanimously.

AMENDMENT TO CDBG (URGENT NEED GRANT)APPROVED

Co-Manager Budreau submitted an amendment to the Urgent Need Grant stating we needed to change the Site clearance line item to other clean-up which would allow us to use those funds for clean-up of the burn pile site.

He requested that the Commission authorize the Mayor to sign the amendment. Following discussion Commissioner Robbins approved the amendment and authorized the Mayor to sign. Commissioner Hattan seconded. Motion carried unanimously.

911 TERMINALAPPROVED

Co-Manager Budreau requested the Commission to approve the enhancement to the 911 Emergency System citing that Jamestown is in the process of adding 911 and the County Commission expressed approval at their meeting last week. He stated the City needs to enhance our own capabilities and then we need cooperation with the County to interface their needs with our equipment.

Following discussion, Commissioner Bombardier approved the enhancement to the 33 MgH capability. Commissioner Robbins seconded. Motion carried.

COMMISSION AND PUBLIC COMMENTS

Commissioner Hattan asked about the basketball court. Judith advised nothing had been done yet.

Commissioner Robbins commented on the brush piles that had been burned the previous week-end and said the plan was very well conceived and he felt it went well. He said he had advised some of the persons who called him that those weren't the City's trees, they were the residents of the city's trees.

Commissioner Hattan and City Attorney Retter discussed the sign problem that had been brought to the Commission's attention by Janie Marcotte.

Commissioner Hattan asked Director of Utilities Clay Randel about the progress of WL-93-1. Clay advised that a section of the line had been isolated because the City was tying on F&A today and they were checking the water for any contamination.

Commissioner Hattan asked Dir. of Planning & Zoning Brenda Sedlacek about the FEMA grant. Brenda advised FEMA had denied the dewatering of the sanitary sewer line because it was a pre-existing condition. She said we are waiting on a check. She also stated that the rain and flood waters actually created the need for dewatering even though the City had known about the condition of the sanitary sewer. The FEMA representative told her we could appeal the decision and there was still a possibility would be reimbursed for the de-watering.

Commissioner Hattan also asked about the heater/boiler and sidewalk repairs needed at the Brown Grand. Co-Manager Ferguson advised the boiler was installed and operating. Tom Fisher will be responsible for repairs to the sidewalk.

COMMISSION INTO EXECUTIVE SESSION

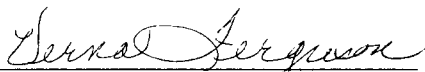
Commissioner Robbins moved that this meeting be recessed into closed executive session to discuss non-elected personnel matters and the City would resume its meeting in ten minutes. Commissioner Bombardier seconded. Time 4:54 p.m.

The City Commission re-convened at 5:04 p.m.

Commissioner Hattan moved the meeting be recessed for an additional ten minutes to discuss non-elected personnel matters.

The Commission reconvened at 5:14 p.m.

Commissioner Robbins moved the meeting be adjourned. Commissioner Bombardier seconded. Meeting adjourned.

  
Verna Ferguson, City Clerk

(Seal)

The City Commission met in Special Session at 7:30 o'clock p.m. on November 10, 1993 in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: Co-Manager Budreau, Co-Manager Ferguson and City Attorney Retter.

Visitors present: Mary B. Patton, Wendy E. Pumarlo, Armand Balthazor and Frederick A. Bernhardt.

City Attorney Retter advised the Commission that the Call for the Special Commission meeting be entered, at length, in the minutes.

"CALL FOR THE 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 : November 10, 1993  
Time : 7:30 o'clock p.m.

The object of said meeting will be as follows:

1. Call to Order.
2. Consider Class B Cereal Malt Beverage License:  
Wendy Pumarlo dba Boston Corbett Supperclub.

Motion \_\_\_\_\_ Second \_\_\_\_\_

3. Proposed Executive Session to Discuss Attorney-Client Matters and Non-Elected Personnel Matters.
4. Adjournment to Work Session immediately following.

/s/ LaVern C. Robbins  
Mayor  
/s/ Isadore Bombardier  
Commissioner  
/s/ Gregory L. Hattan  
Commissioner

NOTICE OF SPECIAL CITY COMMISSION MEETING  
CITY OF CONCORDIA, KANSAS

TO: LaVern C. Robbins, Isadore Bombardier & Gregory L. Hattan:

You are hereby notified that there will be a special meeting of the Board of Commissioners at 7:30 o'clock p.m. on the 10th day of November, 1993, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

Place: City Commission Room, Second Floor, City Hall, Concordia, Kansas  
Date : November 10, 1993  
Time : 7:30 o'clock p.m.

The object of said meeting will be as follows:

1. Call to Order.
2. Consider Class B Cereal Malt Beverage License:  
Wendy Pumarlo dba Boston Corbett Supperclub
3. Proposed Executive Session to Discuss Attorney-Client Matters and Non-Elected Personnel Matters.
4. Adjournment to Work Session immediately following.

(Seal)

To any Person Authorized to Serve Notice of 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(s) LaVern C. Robbins, Isadore Bombardier and Gregory L. Hattan, or to leave said notice at the

RETURN OF SERVICE

The undersigned received the original notice of special city commission meeting, of which the foregoing is a copy at, 8:50 o'clock a.m. on November 10, 1993 (LaVern C. Robbins); 4:05 o'clock p.m. on November 9, 1993 (Gregory L. Hattan); and 4:00 o'clock p.m. on November 9, 1993 (Isadore Bombardier).

1. Served the same personally on LaVern C. Robbins. /s/ Verna Ferguson.
2. Served the same personally on Gregory L. Hattan. /s/ Lisa Fleming.
3. Served the same personally on Isadore Bombardier. /s/ Lisa Fleming."

LICENSE TO RETAIL CEREAL MALT BEVERAGE

WENDY PUMARLO DBA BOSTON CORBETT

Co-Manager Ferguson presented to the Commission the application from Wendy Pumarlo dba Boston Corbett Supperclub to retail cereal malt beverage for consumption on the premises. She advised that Ms. Pumarlo had met all the requirements to purchase the license including payment of all license fees.

Following a brief discussion, Commissioner Bombardier moved to approve the Class B Cereal Malt Beverage license for Wendy Pumarlo. Commissioner Hattan seconded. Motion carried unanimously.

Following approval of the license, Ms. Pumarlo asked questions on times the club could be open and if they could serve beer on Sunday. Mrs. Ferguson advised her that as long as she derived 30% of the income from food service, beer could be served on Sunday.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Bombardier moved that this meeting be recessed into closed executive session to discuss Attorney-Client matters and the City Commission would resume its meeting in ten minutes. Commissioner Robbins seconded. Time 7:40 p.m.

The City Commission re-convened at 7:50 p.m.

Commissioner Robbins moved that this meeting be recessed into closed executive session to discuss non-elected personnel matters and the City Commission would resume its meeting in one (1) hour. Commissioner Hattan seconded. Time 7:50 p.m.

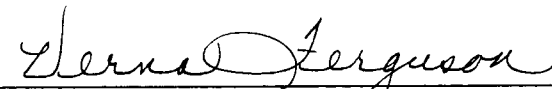
The City Commission re-convened at 8:50 p.m.

Commissioner Hattan moved that this meeting be recessed for an additional 30 minutes to discuss non-elected personnel matters. Commissioner Robbins seconded. Time: 9:20 p.m.

The City Commission re-convened at 9:50 p.m.

Commissioner Robbins moved that this meeting be recessed for an additional 30 minutes to discuss non-elected personnel matters. Commissioner Bombardier seconded. Time: 10:20 p.m.

There being no further business, Commissioner Robbins moved to adjourn the meeting. Commissioner Hattan seconded. Meeting adjourned.

  
Verna Ferguson, City Clerk

(Seal)

vf



The City Commission met in Special Session at 7:30 o'clock p.m. on November 12, 1993, in the City Commisison Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers prseent: Co-Manager Budreau, Co-Manager Ferguson and City Attorney Retter.

Visitors present: Bret Jones.

City Attorney Retter advised the Commission that the Call for the Special Commission meeting be entered, at length, in the minutes.

"CALL FOR THE 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 : Novmber 12, 1993  
Time : 7:30 o'clock p.m.

The object of said meeting will be as follows:

1. Proposed Executive Session to Discuss Non-Elected Personnel Matters.

/s/ LaVern C. Robbins  
/s/ Isadore Bombardier  
/s/ Gregory L. Hattan

NOTICE OF SPECIAL CITY COMMISSION MEETING  
CITY OF CONCORDIA, KANSAS

TO: LaVern C. Robbins, Isadore Bombardier & Gregory L. Hattan:

You are hereby notified that there will be a special meeting of the Board of Commissioners at 7:30 o'clock p.m. on the 12th day of November, 1993, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

Place: City Commission Room, Second Floor, City Hall, Concordia, Kansas.  
Date : November 12, 1993  
Time : 7:30 o'clock p.m.

The object of said meeting will be as follows:

1. Call to Order.
2. Proposed Executive Session to Discuss Non-Elected Personnel Matters.

(Seal)

To any Person Authorized to Serve Notice of 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(s) LaVern C. Robbins, Isadore Bombardier and Gregory L. hattan, or to leave said notice at the usual place of residence of said Commissioner(s) before 3:00 o'clock p.m. on the 12th day of Novemb er, 1993, and to make a return in writing of said service, showing the manner of such service.

/s/ Verna Ferguson  
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, 2:01 o'clock p.m. on November 12, 1993 (LaVern C. Robbins); 1:59 o'clock p.m. on November 12, 1993 (Isadore Bombardier); and 1:55 o'clock p.m. on November 12, 1993 (Gregory L. Hattan).

1. Served the same personally on LaVern C. Robbins. /s/ Lisa Fleming
2. Served the same personally on Isadore Bombarder. /s/ Lisa Fleming
3. Served the same personally on Gregory L. hattan. /s/ Lisa Fleming

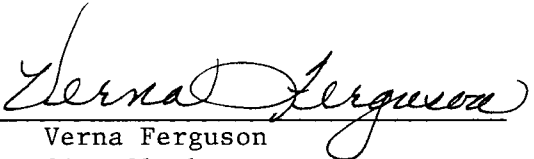
COMMISSION INTO EXECUTIVE SESSION

Commissioner Bombardier moved that this meeting be recessed into closed executive session to discuss non-elected personnel matters and the City would resume its meeting at 8:45. Commissioner Robbins seconded. Motion carried. Time: 7:30 p.m.

Commissioner Bombardier moved, seconded by Commissioner Robbins and duly carried to continue the recess for an additional one hour and forty-five minutes. Time : 8:45 p.m.

The City Commission re-convened at 10:30 p.m.

Commissioner Robbins moved that this meeting be adjourned. Commissioner Bombardier seconded. Motion carried.

  
Verna Ferguson  
City Clerk

(Seal)

MINUTES OF CITY COMMISSION MEETING HELD NOVEMBER 17, 1993

The City Commission met in regular session on November 17, 1993, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: Co-Manager Budreau, Co-Manager Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK-KCKS; Brad Lowell from The Blade-Empire, Sharon Kling, Maggie Engling, Judith McKee, Debbie Wellendorf, Kirk Lowell, Dru Richard, Clay A. Randel, Phil Gilliland, Joe Hamel, Jack Graves and Kent Buer.

Minutes of the November 3, November 10 and November 12, 1993, meetings were approved as written.

APPROPRIATION ORDINANCE NO. 21

APPROVED

Appropriation Ordinance No. 21 was approved according to law.

HEARING ON BUILDING AT 514 BROADWAY CONTINUED

VANCE "DUTCH" BRAUN

Mayor Robbins announced that this hearing had been continued from November 3, 1993, in order to give Mr. Braun the opportunity to secure a contractor to either demolish or repair his dangerous structure at 514 Broadway. In the meantime, Mr. Braun had contacted City Attorney Retter stating that he would have to be out of the state for awhile to attend his son who was undergoing surgery.

Commissioner Hattan asked the City Attorney to explain what passing a resolution would do. He asked "What wheels does it set in motion?"

Mr. Retter explained that it set up a time frame for Mr. Braun to complete the demolition or repair of the building.

After much discussion, Commissioner Hattan moved to allow 3 months from today to have the building torn down. Commissioner Robbins seconded. Motion carried unanimously.

RESOLUTION NO. 1128 (VANCE "DUTCH" BRAUN BUILDING)

PASSED

Following the hearing noted above, Commissioner Hattan moved to approve Resolution No. 1128 setting the date for completion of tearing down the building at 514 Broadway as February 17, 1994. Commissioner Robbins seconded. Motion carried unanimously.

Following passage of the resolution at which time a number of contractors and options was discussed, Co-Manager Ferguson suggested that Mr. Braun might contact the Vo-Tech School at Beloit to see if some of their students needed a project such as this. Co-Manager Budreau advised he would contact Mr. Braun about this option.

BID AWARD-SIGN SOUTH OF TOWN

SIGNS BY MIKESELL

Co-Manager Ferguson advised the City had received bids from two sign contractors for the sign south of Concordia. Bids received were:

|                   |            |
|-------------------|------------|
| Racette Signs     | \$1,399.50 |
| Signs by Mikesell | 793.33     |

Following discussion, Commissioner Bombardier moved to accept the bid of Signs by Mikesell in the amount of \$793.33. Commissioner Hattan seconded. Motion carried unanimously.

BID AWARD ON TEMPORARY NOTES FOR WL-93-2

UMB FIRST BANK

Co-Manager Ferguson advised that bids were received for the project involving moving a water line around the viaduct construction. The total amount of the notes was \$10,000.00. The following bids were received:

| <u>Name of Bank</u>   | <u>Interest Rate</u> | <u>Annual Cost</u> |
|-----------------------|----------------------|--------------------|
| Citizen National Bank | 4.50%                | 450.00             |
| UMB First Bank        | 3.75%                | 375.00             |

Following discussion, Commissioner Hattan moved to accept the bid from UMB First Bank with an annual cost of \$375.00. Commissioner Robbins seconded. Motion carried.

AGREEMENT WITH CITY OF BELLEVILLE

AUTHORIZED MAYOR TO SIGN

City Attorney Retter presented an agreement to enable the City to give the 1959 Fire Truck to the City of Belleville. This agreement sets out the requirements for the City of Belleville to maintain the fire truck, insure the truck and return to the Cloud County Museum when it is no longer in use. Following discussion, Commissioner Hattan moved to authorize the Mayor to

DISCUSSION OF RODEO GROUNDS

DRU RICHARD

Dru Richard, representing the NCK Saddle Club, was present to discuss the rodeo grounds. He said that USD 333 is actively seeking a location for a new school and he was here to obtain information only. He said the purpose of his committee was to keep an objective viewpoint and he had been asked to prepare costs on moving the rodeo grounds....such as moving or building bleachers, moving fill dirt, etc. and further, he was in the process of putting together the numbers. He said the Cloud County Fair Board was going to meet with his group on Sunday.

Commissioner Hattan, advising that he was speaking for himself, said that as far as the land itself goes, the City would work with them. The City would not be asking the Saddle Club to move...but he would be in favor of it if an election was held to build the school there.

Commissioner Robbins advised that he had no problem with using the rodeo grounds for a school and Commissioner Bombardier agreed that he had no problem with that either.

City Attorney Retter said they would need some utility data. The Saddle Club currently has a lease agreement that is renewable every 5 years. The issues that need identified are 1) moving bleachers, 2) where would it be located on the fairground?, 3) moving costs; 4) if City donates land, the City should not have to bear the expense of moving the rodeo arena; 5) would need to look at the need to vacate some streets and alleys; and 6) other miscellaneous items.

This was discussion only.....no action taken.

CO-MANAGER COMMENTS

Co-Manager Ferguson advised that Gail Engle had brought in his quarterly Cable-Com franchise payment in the amount of \$8,609.70.

Co-Manager Budreau advised the City had received \$700.00 from the Duclos Foundation for fencing at the Sports Complex.

The City Commission was reminded of the Public Hearing on Highway 81 scheduled for November 30th from 3 to 7:30 p.m. at the American Legion.

EXTENSION AGREEMENT

PELLA BUILDINGS

City Attorney Retter advised the Commission that an extension agreement had been written setting out the time frame to complete the construction of the T-Hangars and that John Hood of Ralph Hood Contractors as well as Ron Solt with Solt Construction had also signed the time frame agreed upon. Also, the additional engineering and overseeing costs of the project are to be borne by Mr. Keith Goodyk of Pella Buildings.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Hattan moved that this meeting be recessed into closed executive session to discuss Attorney-Client matters and City Commission would resume its meeting in five minutes. Commissioner Robbins seconded. Time: 4:25 p.m.

The City Commission re-convened at 4:30 p.m.

Commissioner Robbins moved the meeting be recessed for an additional five minutes. Commissioner Hattan seconded. Time 4:30 p.m.


The City Commission re-convened at 4:35 p.m.

STUDY SESSION

DATE SET

The City Commission set the date of November 24, 1993, at 6:30 o'clock p.m. as the next Study Session.

There being no further business, Commissioner Bombardier moved to adjourn the meeting until 9:00 o'clock p.m. on November 19, 1993. Commissioner Robbins seconded. Motion carried.

  
Verna Ferguson, City Clerk

(Seal)

VF:lf

The City Commission met in adjourned session on November 24, 1993, at 6:30 o'clock p.m. in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: Co-Manager Budreau, Co-Manager Ferguson and City Attorney Retter.

Visitors present: Gene Miller, Brenda Sedlacek, Jack Graves, Ross A. Olson, Clay A. Randel, Kirk Lowell, Steve Nelson and Judith A. McKee.

BID AWARD (WL-93-2)

DEROWITSCH CONSTRUCTION CO.

Co-Manager Budreau submitted bids received for water line project WL-93-2 which were opened on November 18, 1993. Three bids were received:

Derowitch Construction Co. of Belleville, Kansas in the amount of \$7,812.00; Hood Construction Co. of Concordia, Ks. in the amount of \$7,998.00 and the final bid from Larson Construction Co. of Manhattan, Kansas in the amount of \$19,150.00.

Following discussion, Commissioner Bombardier moved to accept the bid of \$7,812.00 from Derowitsch Construction Co. Commissioner Robbins seconded. Motion carried.

AMERICAN DISABILITIES ACT

DISCUSSED

Co-Managers Budreau and Ferguson submitted to the Commission several options for the Commission to consider in order to make all city meeting rooms, office space, etc. accessible to persons with disabilities. The Commission accepted the pamphlet.

POLICE DEPARTMENT PROFESSIONAL LIABILITY INSURANCE

DISCUSSED

Gene Miller and Ross Olson were present to answer questions regarding premiums and coverage for police department liability coverage. Mr. Miller and Mr. Olson represented Brooke Financial Services. Mr. Olson explained that the general liability policy and the public officials liability policy that the City currently has does not include police department liability.

PHIL DENEALT RECEIVES CERTIFIED MUNICIPAL CLERK STATUS

Co-Manager Ferguson advised that Phil Deneault, Deputy Clerk and Accounting Clerk for the City, has received Certified Municipal Clerk status on November 4, 1993. The Certification Program is offered through Wichita State University.

STEVE NELSON REQUESTS SURFACING OF OLIVE STREET

DISCUSSION

Steven Nelson was present to request the surfacing of Olive Street from 5th Street north to the railroad tracks. He wants to do a project similar to the one the City recently completed on Archer Street. He feels the estimates provided to him by former city manager Richard Nienstedt were higher than he could afford and wanted the City to do the work rather than hire a contractor. The estimates provided to him were prepared as though a contractor would be hired to do the work.

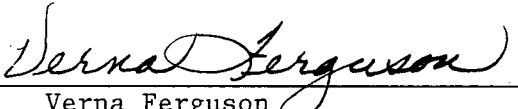
Following discussion, Commissioner Hattan suggested that we get with Eric Johnson of Campbell & Johnson, Engineers, to look into the matter.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Robbins moved that this meeting be recessed into closed executive session to discuss non-elected personnel matters and that the Commission meeting would resume in 30 minutes. Commissioner Hattan seconded. Motion carried. Time: 7:01 p.m.

The City Commission re-convened at 7:31 o'clock p.m.

There being no further business, Commissioner Bombardier moved to adjourn the meeting. Commissioner Hattan seconded. Motion carried.

  
Verna Ferguson  
City Clerk

The City Commission met in regular session on December 1, 1993, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: Co-Manager Budreau, Co-Manager Ferguson and City Attorney Retter.

Visitors present: Brad Lowell from The Blade-Empire, Joe Jindra from KNCK-KCKS, Judith A. McKee, Clay A. Randel, Armand Balthazor and Kirk Lowell.

Minutes of November 17, 1993 and November 24, 1993 meetings were approved as written.

APPROPRIATION ORDINANCE NO. 22

APPROVED

Appropriation Ordinance No.22 was approved according to law.

RESOLUTION NO. 1129 (WL-93-2)

PASSED

City Attorney Retter advised the Commission they needed to pass this resolution authorizing the form of temporary notes needed for the viaduct water line. Following discussion, Commission Hattan moved to approve Resolution No. 1129. Commissioner Robbins seconded. Motion carried.

FINAL COST FOR WL-93-1 & HEARING DATE SET

APPROVED

Co-Manager Ferguson presented to the Governing Body the following engineer's estimate of final costs for the construction of a water line South on Kansas Street to F & A, West to Lincoln Street. This is the final cost estimate.

| <u>PROJECT WL-93-1</u>              | <u>TOTAL COSTS</u> | <u>DISTRICT</u>  | <u>CITY</u>      |
|-------------------------------------|--------------------|------------------|------------------|
| 10" PVC C-900 Waterline             | 25,091.00          | 6,932.64         | 18,158.36        |
| 6" PVC C-900 Waterline              | 258.40             | 71.40            | 187.00           |
| 10" x 10" Tee (MJ)                  | 1,050.00           | 290.12           | 759.88           |
| 10" x 6" Tee (MJ)                   | 1,000.00           | 276.30           | 723.70           |
| 6" x 6" Tee (MJ)                    | 300.00             | 82.89            | 217.11           |
| 10" Valve                           | 3,540.00           | 978.10           | 2,561.90         |
| 6" Valve                            | 1,305.00           | 360.57           | 944.43           |
| 11½° Bend (MJ)                      | 700.00             | 193.41           | 506.59           |
| 45° BEND (MJ)                       | 700.00             | 193.41           | 506.59           |
| Valve Box W/Lid                     | 560.00             | 154.73           | 405.27           |
| Fire Hydrant (3-Way)                | 3,000.00           | 828.90           | 2,171.10         |
| 10" Dresser Coupling                | 420.00             | 116.05           | 303.95           |
| 6" Dresser Coupling                 | 135.00             | 37.30            | 97.70            |
| Connect to EX 6" Main               | 400.00             | 110.52           | 289.48           |
| Connect to EX 10" Main              | 500.00             | 138.15           | 361.85           |
| Construction Staking                | 2,250.00           | 621.68           | 1,628.32         |
| Contingenies (Misc. & publications) | 392.89             | 108.56           | 284.33           |
| Engineering                         | 2,250.00           | 621.68           | 1,628.32         |
| Legal Services                      | 683.48             | 188.85           | 494.63           |
| Administration                      | 2,226.79           | 615.26           | 1,611.53         |
| Interim Financing                   | 4,545.33           | 1,255.87         | 3,289.46         |
| <b>TOTAL COSTS</b>                  | <b>51,307.89</b>   | <b>14,176.39</b> | <b>37,131.50</b> |

The statement was considered by the Governing Body and on a motion by Commissioner Bombardier, seconded by Commissioner Hattan and duly carried by the affirmative vote of all the members-elect of the governing body present and voting, the total cost of the improvements were determined to be \$51,307.89. The City Clerk had determined the assessments against each lot, piece or parcel of land deemed to be benefited in the manner set forth in Resolution No. 1117 and had caused to be prepared an assessment roll according to the method of assessment set out in said resolution. On a motion by Commissioner Hattan, seconded by Commissioner Robbins and duly carried by the affirmative vote of all the members of the governing body present and voting, the governing body determined to meet on the 29th day of December, 1993, 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 as 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 costs proposed to be assessed.

ANNUAL ASSURANCE OF COMPLIANCE STATEMENT FOR SWIMMING POOL

Co-Manager Ferguson presented the Commission with the Annual Assurance of Compliance Statement that had been sent by the Kansas Department of Wildlife and Parks. This statement reaffirms the City's commitment to maintain the swimming pool facility that was originally constructed with federal funds.

Commissioner Hattan moved to authorize the mayor to sign the compliance statement. Commissioner Robbins seconded. Motion carried.

APPLICATION FOR BUREAU OF JUSTICE ASSISTANCE GRANT

APPROVED

Co-Manager Budreau requested approval to submit an application to the Bureau of Justice for a grant which would pay up to seventy-five (75%) of the costs of additional police officers. He noted that if the grant is approved and additional officers are hired, after 3 years the City would be responsible for any future costs.

Following discussion, Commissioner Bombardier moved to submit the application for two officers. Commissioner Robbins seconded. Motion carried.

PUBLIC COMMENTS

Armand Balthazor asked about information from David Retter on a five-man commission.

Armand Balthazor asked if the City would be stuck for the costs of constructing and moving sewer lines and curb and gutter along Highway 81.

Commissioner Hattan advised the City would try to reach an agreement with KDOT on some of the expenses. The City can't afford all the costs of moving all the water and sanitary sewer lines. He further said we would try to get a map from the State in order to determine our costs.

Director of Grounds Judith McKee advised that work was progressing at Hood Park.

City Attorney advised that he had prepared an Extension Agreement with Pella Buildings. To date, no work has been done on the T-Hangar construction.

EXECUTIVE SESSION

Commissioner Hattan moved that this meeting recessed into closed executive session to discuss non-elected personnel matters and the City would resume its meeting in twenty minutes. Commissioner Bombardier seconded. Time: 4:37 p.m.

The City Commission re-convened at 4:57 p.m.

Commissioner Hattan moved this meeting be recessed for an additional 20 minutes. Commissioner Bombardier seconded. Time: 4:57 p.m.

The City Commission re-convened at 5:17 p.m.

Commissioner Hattan moved this meeting be recessed for an additional 5 minutes. Commissioner Robbins seconded. Time: 5:17 p.m.

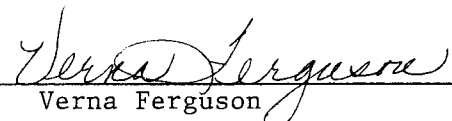
STUDY SESSION

DATE SET

The Commission set the date of December 7, 1993, at 6:30 p.m. as the next study session.

The Commission set the date of December 29, 1993, at 4:00 o'clock p.m. as the final official meeting date of the year.

There being no further business, Commissioner Robbins moved to adjourn the meeting. Commissioner Bombardier seconded. Motion carried.

  
Verna Ferguson  
City Clerk

The City Commission met in Special Session at 12:00 o'clock Noon on December 8, 1993, in the City Commission Room in the City Hall. Commissioners Bombardier and Hattan were present. Absent: Commissioner Robbins.

Other officers present: Co-Manager Budreau and City Attorney Retter.

City Attorney Retter advised the Commisison that the Call for the Special Commission meeting be entered, at length, in the minutes.

"CALL FOR THE 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 : December 8, 1993  
Time : 12:00 Noon

The object of said meeting will be as follows:

1. Call to Order.
2. Consideration of Pella Buildings Systems, Inc. Extension Agreement and Revised Construction Timetable.

/s/ LaVern C. Robbins  
/s/ Isadore Bombardier  
/s/ Gregory L. Hattan

NOTICE OF SPECIAL CITY COMMISSION MEETING  
CITY OF CONCORDIA, KANSAS

TO: LaVern C. Robbins, Isadore Bombardier & Gregory L. Hattan:

You are hereby notified that there will be a special meeting of the Board of Commissioners at 12:00 Noon on the 8th day of December, 1993, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

1. Call to Order.
2. Consideration of Pella Buildings Systems, Inc. Extension Agreement and Revised Construction Timetable.

To any Person Authorized to Serve Notice of 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(s) LaVerne C. Robbins, Isadore Bombardier and Gregory L. Hattan, or to leave said notice at the usual place of residence of said Commissioner(s) before 10:00 o'clock a.m. on the 8th day of December, 1993, and to make a return in writing of said service, showing the manner of such service.

/s/Verna Ferguson  
City Clerk

RETURN OF SERVICE

The undersigned received the original notice of special city commission meeting, of which the foregoing is a copy at: 8:38 o'clock a.m. on December 8, 1993 (Isadore Bombardier); 8:58 o'clock a.m. on December 8, 1993 (LaVern C. Robbins); and 9:15 o'clock a.m. on December 8, 1993 (Gregory L. Hattan).

1. Served the same personally on Isadore Bombardier (Verna Ferguson).
2. Served the same personally on LaVern C. Robbins (Verna Ferguson).
3. Served the same personally on Gregory L. Hattan (Lisa Fleming)."



CONSIDERATION OF EXTENSION AGREEMENT & REVISED CONSTRUCTION TIMETABLE

PELLA BUILDING SYSTEMS

City Attorney Retter presented the Commission with a revised extension agreement between Amwest Surety, Pella Building Systems, Inc., Keith Goodyk, and the City of Concordia which sets out an extension in the time for the construction of the T-Hangars at the Blosser Municipal Airport. The revised time schedule is as follows (weather permitting).

|   |  |
|---|--|
| -Concrete work to be completed between      | December 11, 1993 & January 5, 1994    |
| -Building materials to be delivered between | January 6, 1994 and January 12, 1994   |
| -Erection of building between               | January 10, 1994 and February 10, 1994 |
| -Electrical to be installed between         | January 20, 1994 and February 10, 1994 |
| -Overhead doors to be installed between     | February 7, 1994 and February 10, 1994 |
| -Final completion of building on or before  | February 15, 1994                      |

Following discussion, Commissioner Hattan moved to approve the extension agreement and revised construction timetable. Commissioner Bombardier seconded. Motion carried.

NOTE: Mayor Robbins was unable to attend the meeting but was advised of the request prior to the meeting and give his written approval.

There being no further business, Commissioner Bombardier moved to adjourn the meeting. Commissioner Hattan seconded. Motion carried.



Howard S. Budreau  
Co-Manager

(Seal)

The City Commission met in regular session on December 15, 1993, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: Co-Manager Budreau, Co-Manager Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK/KCKS, Brad Lowell from The Blade-Empire, Judith A. McKee, Armand Balthazor, Jack Graves, Brenda Sedlacek, Clay Randel, Luise Brown, Gerald Brown, Vince Crough, Robert Aldridge, and Ken Johnson.

Minutes of the December 1, 1993, and December 8, 1993, meetings were approved as written.

APPROPRIATION ORDINANCE NO. 23

APPROVED

Appropriation Ordinance No. 23 was approved according to law.

APPOINTMENT TO RECREATION COMMISSION

RON ELNIFF

Co-Manager Ferguson had submitted a memorandum to the Commission previous to the meeting indicating that Mr. Ron Elniff had been contacted and had agreed to serve a 4-year term on the Recreation Commission. Following discussion, Commissioner Robbins moved to appoint Mr. Elniff to a 4-year term to expire on January 31, 1998. Commissioner Bombardier seconded. Motion carried.

ABOLISHMENT OF SPECIAL SERVICES OFFICER POSITION

TABLED

Police Chief/Co-Manager Howard S. Budreau submitted a plan to the Commission which outlines the need for additional manpower within the Police Department. To enable change to take place, the Special Services Officer position needs to be abolished. Mr. Budreau had outlined a plan to begin the process of elimination using the 1995 Budget which will begin in mid-year 1994.

During the discussion Mr. Budreau said he would recommend a year's time to complete the transition and would allow Gerald Brown, who currently holds this position, to retain certain rights.

Commissioner Hattan asked if this is a part of the 1995 Budget process and asked if this was specifically to get additional manpower on the street.

Mr. Budreau said that was correct and the duties now done by Mr. Brown would be reassigned to patrol and the City Clerk's office for abatement procedures.

Mr. Brown said "That's not right".... and brought his information to the Commission for their review.

Commissioner Hattan advised Mr. Brown that the Commission entrusted the Department Heads with these type decisions.

Mr. Budreau said he wanted to bring it to the Commission's attention now to get the process started for Gerry.

Following discussion, Commissioner Hattan moved to table the decision for now and that it would be discussed during budget process time in 1994. Commissioner Bombardier seconded. Motion carried unanimously.

RESOLUTION NO. 1130 - LAKE WACONDA

PASSED

City Attorney Retter provided a resolution to support the repair of damage to Lake Wacanda in Mitchell County. This lake was damaged by excessive rainfall during the summer of 1993. Following discussion, Commissioner Robbins moved to approve Resolution No. 1130 in support of this endeavor. Commissioner Bombardier seconded. Motion carried.

EXTENSION OF CDBG (URGENT NEED) GRANT NO. 92-IT-185

Co-Manager Budreau advised the Commission that a 6-months extension had been requested on the Urgent Need grant to allow additional time to complete some of the construction at the airport. A 5-month extension has been granted by the State. In addition we have requested a budget amendment which will allow us to move some of the money earmarked in some line items to a line item where it is needed. Action needed is for the Commission to authorize the Mayor to sign the amendment request.

Following discussion, Commissioner Hattan moved to authorize the mayor to sign the amendment request. Commissioner Bombardier seconded. Motion carried.

FEASIBILITY STUDY FOR OPTIONS FOR SANITARY SEWER CONSTRUCTION  
(SS-93-1)

APPROVED

Ken Johnson was present from Campbell & Johnson to explain the need for a feasibility study for sanitary sewer construction. Co-Manager Budreau requested Commission approval for the expenditure of funds to complete this study. Following discussion, Commissioner Robbins moved to approve the expenditure for the feasibility study. Commissioner Hattan seconded. Motion carried.

ITEMS DISCUSSED FOLLOWING ABOVE

1. Engineer's Estimate of Highway 81 Project.
2. Comprehensive Water - Sanitary Sewer Plan.
3. Repairs for high pressure air compressor used by the Fire Department.
4. Professional Liability Insurance for the Police Department.

No action taken on any of these four (4) items.

PUBLIC COMMENTS

Armand Balthazor wanted to know if we get 2 additional policemen, will they patrol around the schools?

Chief Budreau advised the additional officers can help do what we are already doing.

Armand wanted to know how we are coming on the 5-Man Commission.

Commissioner Robbins said nothing would be done until after the first of the year. Commissioner Robbins asked City Clerk Ferguson to make him a copy of City Attorney Retter's memorandum regarding this topic. Mr. Balthazor was given a copy of the memorandum.

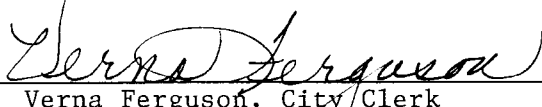
Ken Johnson reminded the Commission that the amount given to the Commission on moving utility lines for the Highway 81 project was just a guesstimation.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Robbins moved that at this time the Commission would recess into closed executive session to discuss non-elected personnel matters. Commissioner Hattan seconded. Time requested was 20 minutes. Time: 4:55 p.m.

The City Commission reconvened at 5:10 p.m.

There being no further business, Commissioner Bombardier moved to adjourn the meeting until 6:30 December 22, 1993. Commissioner Robbins seconded. Motion carried.

  
Verna Ferguson, City Clerk

VF:lf

(Seal)

The City Commission met in adjourned session December 22, 1993, at 6:30 o'clock p.m. in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioner Hattan present. Absent: Commissioner Bombardier.

Other officers present: Co-Manager Budreau, Co-Manager Ferguson and City Attorney Retter.

Visitors present: Eldon Wisdom, Larry D. Bergstrom, Bernie Hayen from League of Kansas Municipalities, Brenda Sedlacek, Kirk Lowell, Clay A Randel, Armand Balthazor, Dale Ferguson and Jack Graves.

APPOINTMENTS TO BOARD OF ZONING APPEALS

KAREN DUNLAP  
GEORGE CHAMPLIN

Co-Manager Budreau advised the Commission that Karen Dunlap and George Champlin had been contacted and agreed to be reappointed to another 3 year term on the Board of Zoning Appeals. Commissioner Hattan moved to approve both the appointments. Commissioner Robbins seconded. Motion carried.

COMPUTER SYSTEM FOR THE WATER/SEWER DEPT.

APPROVED

Co-Manager Budreau advised the Commission that in order to proceed with Phase I of the Water and Sewer Comprehensive Plan, a computer needed to be purchased to enable the entire CAD system to be loaded onto the hard disk drive. Competitive bids were received by Clay Randel, Director of Utilities this week and the bid from Pfuetze-Bergman in the amount of \$2,300.00 is recommended.

Following discussion, Commissioner Hattan moved to purchase the computer from Pfuetze-Bergman for the Water and Sewer Department. Commissioner Robbins seconded. Motion carried.

WORKERS COMPENSATION POOL

TABLED

Bernie Hayen from the League of Kansas Municipalities was present to discuss the Workers Compensation Pool being established by the League. He said they now have 22 cities as members in their pool. An additional feature offered by the League will be Risk Management Services. He said that currently 70% of workers compensation premiums go outside the state and with the pool, 70% of their money stays within the state. He said they will use a three tiered approach such as 1) Loss control visits; 2) safety meetings with workshops and seminars on safety; and 3) Peer review committee established.

Mr. Hayen asked what kind of risk management services did our current carrier provide. They are using videos to encourage and promote safety consciousness.

He said that once the workers compensation pool is established, the League will concentrate on health insurance for municipalities.

Following discussion, Commissioner Hattan moved to table any decision on whether or not to keep the Allied Group Compensation insurance or to join the League. Commissioner Robbins seconded. Motion carried.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Hattan moved that at this time the Commission would recess into closed executive session to discuss non-elected personnel matters. Commissioner Robbins seconded. Time: 7:05 p.m.

The Commission reconvened at 7:10 p.m.

Commissioner Robbins moved that at this time the Commission would recess into closed executive session to discuss property acquisition matters. Commissioner Hattan seconded. Motion carried. Time: 7:10 p.m.

The Commission reconvened at 7:20 p.m.

Commissioner Robbins moved that the Commission be recessed for an additional ten minutes. Commissioner Hattan seconded. Motion carried. Time: 7:20 p.m.

The Commission reconvened at 7:30 p.m.

VOICE LOGGER FOR LAW ENFORCEMENT CENTER

APPROVED

Co-Manager Budreau asked the Commission to consider the purchase of a voice logger to be used jointly by the Concordia Police Department and the Cloud County Sheriff's Department. Sheriff Larry Bergstrom was present to answer questions also. Mr. Budreau explained the current logger was 12 years old and was 5 years old when we bought it. Commissioner Hattan questioned the need for the logger as well as whether or not the company bidding on the logger was a reliable and established company.

Mr. Budreau explained the use of the logger and the fact that with Jamestown coming on line, there was additional need to update the system.

Commissioner Hattan asked if this logger was going to be financed with 911 money. Mr Budreau advised it would be financed with 911 money from Concordia and Jamestown.

After much discussion about funding the logger, Commissioner Robbins moved to approve the purchase as long as the County was involved with the purchase. Mr. Bergstrom assured the Commission that he and Mr. Budreau would be visiting with the County Commission at their next meeting. Commissioner Hattan seconded. Motion carried.

#### POLICE LIABILITY INSURANCE

Co-Manager Budreau advised the Commission that we still did not have a quote from our insurance agent on the police liability issue and that the League, at this time, were not going to provide this type of coverage. After some dicussion on a previous quote, Commissioner Hattan asked if the deductible could be raised. Commissioner Hattan said he was not opposed to the insurance but felt the deductible should be higher.

No formal action was taken on this matter.

#### PUBLIC COMMENTS

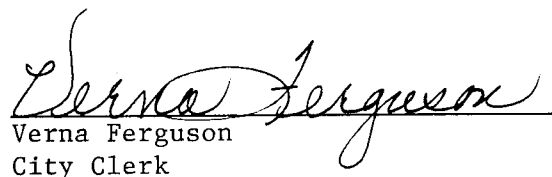
At the last meeting, Armand Balthazor had requested a copy of a memo prepared by City Attorney Retter for the Commission on the 5-member Commission issue. Mr. Balthazor had been given a copy but said that he doesn't want a five member commission if they are voted on at-large. He wants a commission member from each ward.

Commissioner Hattan advised the County Clerk was the county election officer and he was pretty sure that if the ward boundaries are changed it would have to come from the county. That changing boundaries in the cities would affect the precincts where and how county commissioners are elected also. There was a lengthy discussion about this matter.

Eldon Wisdom asked the Commission if they were considering the idea.

Kirk Lowell asked when the filing deadline was. City Clerk Ferguson advised that it was January 25th at noon.

There being no further business, Commissioner Robbins moved to adjourn the meeting. Commissioner Hattan seconded. Motion carried.

  
Verna Ferguson  
City Clerk

VF:db

(Seal)

The City Commission met in adjourned session on December 29, 1993, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioner Bombardier present. Absent: Commissioner Hattan.

Other officers present: Co-Manager Budreau, Co-Manager Ferguson and City Attorney Retter.

Visitors present: Brad Lowell from The Blade-Empire, Brenda Sedlacek, Clay A. Randel, Jack Graves, Gene Miller and Craig Ashen.

Minutes of the December 15th and December 22nd, 1993, meetings were approved as written.

APPROPRIATION ORDINANCE NO. 24 (PARTIAL)

APPROVED

Appropriation Ordinance No. 24 (partial listing) was approved according to law.

ASSESSMENT HEARING - PROJECT WL-93-1

HELD

The Mayor announced that this was 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:

Construction of a ten inch (10") water line and appurtenances beginning at the following described point: South from the existing water line at Kansas and 20th Street approximately nine hundred ten feet (910') to the northeast corner of F & A property, and running thence in a westerly direction for approximately three hundred sixty lineal feet (360'), and terminating at the following described end point: Where the existing six inch (6") city water main is on the east side of U. S. Highway 81 running in a north/south direction all in the City of Concordia, Cloud County, Kansas

as authorized by Resolution No. 1117 of this Governing Body adopted May 19, 1993, 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 to object to the assessment.

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, Commissioner Bombardier, seconded by Commissioner Robbins and duly carried by the affirmative vote of two-thirds of the members-elect of the Commission to approve the proposed assessments in the amounts set out against the lands described in the assessment roll as provided by K.S.A. 12-6a10, as amended.

ORDINANCE NO. 2596 (SPECIAL ASSESSMENTS FOR WL-93-1)

PASSED

Following the above hearing, the following ordinance was presented.

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" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Robbins and Bombardier. "Nay": None. With two-thirds of the members-elect of the Commission having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2596.

APPOINTMENT TO RECREATION COMMISSION

CARRIE BERNER

Mindy Condray, a member of the Recreation Commission, had contacted city staff and notified them that Bill Ross had resigned his post on the Recreation Commission. Other members of the Commission had recommended Carrie Berner to fill the vacancy. Mrs. Berner has been contacted and has agreed to the appointment. Following a brief discussion, Commissioner Bombardier moved to appoint Carrie Berner to the Recreation Commission to fill the unexpired term of Bill Ross. Commissioner Robbins seconded. Motion carried.

WORKERS COMPENSATION INSURANCE

ALLIED GROUP

Gene Miller and Craig Ashton were present representing Allied Group Insurance to explain their Workers Compensation program and to offer their expertise with any and all workers compensation claims. Their quote for the 1994 workers compensation insurance to the City is \$48,213.00. The Commission had heard from a workers compensation pool with a quote of \$50,970.00. Following discussion, Commissioner Bombardier moved to accept the quote of Allied Group Insurance in the amount of \$48,213.00. Commissioner Robbins seconded. Motion carried.

1994 CITY LICENSESAPPROVED

Co-Manager Ferguson submitted the following licenses for the Commission's approval. She noted that all license fees had been paid.

1994 ELECTRICAL LICENSE LIST

| <u>Receipt<br/>Number</u> | <u>Business</u>                        | <u>Proof of<br/>Insurance</u> | <u>Completed<br/>Application</u> | <u>Amt.<br/>Paid</u> |
|---------------------------|--|-------------------------------|----------------------------------|----------------------|
| 13475                     | USD #333, 217 W. 7th                   | X                             | X                                | 20.00                |
| 13478                     | Jack Roney, 510 W. 6th                 | X                             | X                                | 20.00                |
| 13512                     | Rite Way Laundry, 217 W. 3rd           | X                             | X                                | 20.00                |
| 13492                     | Gale W. Newton, 703 E. 11th            | X                             | X                                | 20.00                |
| 13402                     | Nazareth Convent, 13th & Washington    | X                             | X                                | 20.00                |
| 13473                     | James Huff, Jewell, 836 E. 7th         | X                             | X                                | 20.00                |
| 13508                     | Jerry's Electric, 103 E. 6th           | X                             | X                                | 20.00                |
| 13438                     | Izzy's Htg & A/C, 115 E. 13th          | X                             | X                                | 20.00                |
| 13511                     | George Greenwood, 621 W. 6th           | X                             | X                                | 20.00                |
| 13394                     | Culbertson Electric, 106 W. 6th        | X                             | X                                | 20.00                |
| 13523                     | CCCC, 2221 Campus Drive                | X                             | X                                | 20.00                |
| 13439                     | Clark Plumbing, 120 W. 6th             | X                             | X                                | 20.00                |
| 13427                     | Damon Christensen Electric, 236 Strain | X                             | X                                | 20.00                |
| 13432                     | Demanette Appliance, 128 E. 6th        | X                             | X                                | 20.00                |
| 13482                     | Rex Swihart, Jr., Rt. 3                | X                             | X                                | 20.00                |
| 13536                     | BG Construction, 201 W. 5th            | X                             | X                                | 20.00                |
| 13533                     | Mt. Joseph, 1110 W. 11th               | X                             | X                                | 20.00                |
| 13553                     | R F Fakler, Rt. 2                      | X                             | X                                | 20.00                |
| 13401                     | St. Joseph Hospital, 1100 Highland     | X                             | X                                | 20.00                |
| 13430                     | Norman Hayden, 1016 Broadway           | X                             | X                                | 20.00                |
| 13445                     | Tom Hamel, Clyde, KS                   | X                             | X                                | 30.00                |
| 13491                     | Jim Conn, 535 W. 10th                  | X                             | X                                | 20.00                |
| 13404                     | Don/Galen Deneault, 1715 Cedar         | X                             | X                                | 20.00                |
| 13383                     | Bob's Plumbing (Bob Dykes)             | X                             | X                                | 20.00                |
| 13388                     | Joseph Strecker/Strecker, Inc.         | X                             | X                                | 20.00                |
| 13384                     | Whitney Plb., 127 E. 6th               | X                             | X                                | 20.00                |
| 13387                     | Sunset Home, 610 2nd Ave.              | X                             | X                                | 20.00                |
| 13487                     | Dan Conn, 1707 E. 7th                  | X                             | X                                | 20.00                |
| 13429                     | Roger Demanette, 602 W. 9th            | X                             | X                                | 20.00                |
| 13498                     | John Hood/Ralph Hood Contractors       | X                             | X                                | 20.00                |
| 13489                     | Basil Tate/Tate Electric, Clyde        | X                             | X                                | 30.00                |
| 13332                     | Paul's Electric, McPherson             | X                             | X                                | 30.00                |
| 13545                     | Chris Stupka, 106 W. 17th              | X                             | X                                | 20.00                |

1994 LICENSES

| <u>Receipt<br/>Number</u> | <u>Business</u> | <u>Amount<br/>Paid</u> |
|---------------------------|-----------------|------------------------|
|---------------------------|-----------------|------------------------|

CLASS B BEER

|       |                                 |                |
|-------|---------------------------------|----------------|
| 13407 | Hillcrest Lanes, 1909 Lincoln   | 150.00 + 25.00 |
| 13479 | American Legion, 506 Washington | 150.00 + 25.00 |
| 13503 | Country Honky Tonk, 418 Bdwy.   | 150.00 + 25.00 |
| 13412 | Pizza Hut, 1431 E. 6th          | 150.00 + 25.00 |
| 13462 | Big Cheese Pizza, 1315 Lincoln  | 150.00 + 25.00 |
| 13499 | Elks Club, 237 W. 6th           | 150.00 + 25.00 |
| 13604 | Boston Corbett, 85 Lincoln      | 150.00 + 25.00 |

CLASS A BEER

|       |                                    |               |
|-------|------------------------------------|---------------|
| 13451 | Larry's Food Store, 307 W. 6th     | 50.00 + 25.00 |
| 13461 | Boogaarts, 1620 Lincoln            | 50.00 + 25.00 |
| 13441 | Love's Country Store, 1301 Lincoln | 50.00 + 25.00 |
| 13490 | 81 Conoco, 137 E. 7th              | 50.00 + 25.00 |
| 13440 | EZ Shop, 203 E. 6th                | 50.00 + 25.00 |
| 13400 | Short Stop, 1020 Lincoln           | 50.00 + 25.00 |

SEWER/PLUMBER & GAS INSPECTORS

|       |  |       |
|-------|--|-------|
| 13438 | Izzy's Plb/Htg., 115 E. 13th             | 30.00 |
| 13439 | Clark Plb/Htg., 120 W. 6th               | 30.00 |
| 13432 | Demanette Appliance, 128 E. 6th          | 30.00 |
| 13508 | Jerrold Olssen, 103 E. 6th               | 30.00 |
| 13473 | Jewell Plumbing, 1405 Lincoln            | 30.00 |
| 13383 | Bob Dykes                                | 30.00 |
| 13498 | Ralph Hood Contractors, 1609 E. 7th      | 30.00 |
| 13481 | Gallagher Plumbing, Clyde, KS            | 30.00 |
| 13511 | Greenwood Repair, 621 W. 6th             | 30.00 |
| 13512 | Rite Way Laundry, 217 W. 3rd             | 30.00 |
| 13384 | Whitney Plumbing, 127 E. 6th             | 30.00 |
| 13388 | Strecker, Inc., 218 W. 5th               | 15.00 |
| 13429 | Roger Demanette, 602 W. 9th              | 30.00 |
| 13411 | J & N Elliott, Morrowville               | 30.00 |
|       | Derowitsch Construction, Belleville      | 30.00 |
| 13475 | USD #333                                 | 30.00 |
| 13402 | Nazareth Convent, Box 279                | 30.00 |
| 13401 | St. Joseph Hospital, 1100 Highland       | 30.00 |
| 13463 | Sunflower Lawn Care, 604 Industrial Road | 15.00 |
| 13518 | The Water Works/Doug Moe, W. 18th        | 30.00 |

1994 LICENSES

| <u>Receipt<br/>Number</u> | <u>Business</u> | <u>Amount<br/>Paid</u> |
|---------------------------|-----------------|------------------------|
|---------------------------|-----------------|------------------------|

GAS INSPECTOR

|       |                                     |       |
|-------|-------------------------------------|-------|
| 13394 | Culbertson Electric, 106 W. 6th     | 15.00 |
| 13489 | Basil Tate/Tate Electric, Clyde, KS | 15.00 |

MISCELLANEOUS

|       |  |       |
|-------|--|-------|
| 13446 | Duane Donovan, Bloomington, NE crop spraying       | 25.00 |
| 13480 | Nancy Smith/Service Master, 605 W. 10th, canvasser | 40.00 |

KANSAS FORESTRY AGREEMENTAPPROVED

Co-Manager Budreau presented to the Commission the Agreement with Kansas Forestry. This cooperative agreement was to be made between the Rural Fire District, Fire Department, and the Kansas State and Extension Forestry.

After a brief discussion, Commissioner Bombardier moved to approved the agreement. Commissioner Robbins seconded. Motion carried.

There being no further business, Commissioner Bombardier moved to adjourn the meeting until January 5, 1994, 4:00p.m, next regular commission meeting. Commissioner Robbins seconded. Motion carried.



Verna Ferguson  
City Clerk

VF:db

(Seal)