

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 5, 1994.

The City Commission met in regular session on January 5, 1994, 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 Ferguson and City Attorney Retter.

Visitors present: Brad Lowell from The Blade-Empire, Joe Jindra from KNCK-KCKS, Jack Graves, Judith A. McKee, Dale Ferguson, Brenda Sedlacek, Clay A. Randel, Kirk G. Lowell and Eldon Wisdom.

Minutes of the December 29, 1993, meeting were approved as written.

BID REQUEST FOR 1994 POLICE CAR

APPROVED

Prior to the meeting, Police Chief/Co-Manager Budreau had provided the Commission with bid specifications and a request to obtain bids for a police car for 1994. City Clerk/Co-Manager Ferguson advised the Commission that the money for this purchase had been included in the 1994 budget. Following a brief discussion, Commissioner Hattan moved to approve the request. Commissioner Bombardier seconded. Motion carried.

PAUL WALKER REQUEST

APPROVED

Co-Manager Ferguson advised the Commission of a request from Paul Walker for the City to help pay for the cost of gravel needed on the road to Well No. 21. Mr. Walker had received a bill from the County Highway Department in the amount of \$303.99 for this gravel and Mr. Walker felt that since there are five properties involved, he would like for the City to share with one-fifth of the expense. Co-Manager Ferguson noted the City's share would be \$60.80. Following brief discussion, Commissioner Bombardier approved the payment. Commissioner Robbins seconded. Motion carried.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Robbins moved that at this time the Commission would recess into closed executive session for 20 minutes to discuss property acquisition. Commissioner Bombardier seconded. Time: 4:20 p.m.

The City Commission reconvened at 4:39 p.m.

Commissioner Hattan moved that at this time the Commission would recess into closed executive session for 15 minutes to discuss non-elected personnel matters. Commissioner Bombardier seconded. Time: 4:40 p.m.

The Commission reconvened at 4:55 p.m.

Commissioner Hattan moved that the Commission be recessed for an additional 10 minutes. Commissioner Robbins seconded. Time: 4:55 p.m.

The Commission reconvened at 5:05 p.m.

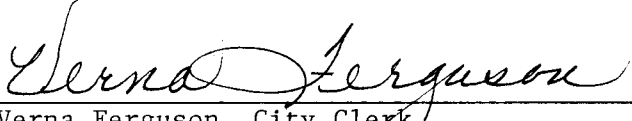
Commissioner Hattan moved that the Commission be recessed for an additional 5 minutes. Commissioner Robbins seconded. Time: 5:05 p.m.

The Commission reconvened at 5:10 p.m.

PUBLIC COMMENTS

Brad Lowell asked the Commission when they were going to hire a city manager. He felt the public wants to know. Commissioner Hattan noted they had finished the first round of interviews. Mr. Lowell asked again about how long it would be. Commissioner Robbins said "Soon I hope". Commissioner Hattan said it should be between 60 to 90 days.

There being no further business, Commissioner Robbins moved to adjourn the meeting to January 12, 1994, at 6:30 p.m. Commissioner Bombardier seconded. Motion carried.


Verna Ferguson, City Clerk

(Seal)

VF:lf

The Commission met in adjourned session on January 12, 1994, 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: Eldon Wisdom, Roger Mock, Doug Simms, Armand Balthazor, Ross Olson, Gene Miller, Clay A. Randel, Jack Graves, Judith McKee and Dale Ferguson.

Minutes of the January 5, 1994 meeting were approved as written.

APPROPRIATION ORDINANCE NO. 24-A

APPROVED

Appropriation Ordinance No. 24-A was approved according to law.

ANNOUNCEMENT FOR NEXT MEETING

Commissioner Robbins announced that the five-member commission issue would be discussed at the meeting to be held January 20, 1994 at 4:00 o'clock p.m.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Robbins moved that at this time the Commission would recess into executive session for 30 minutes to discuss property acquisition. Commissioner Hattan seconded. Time 6:32 p.m.

The Commission reconvened at 7:00 o'clock p.m.

LETTER OF APPRECIATION FROM CITY OF BELLEVILLE

READ

Commissioner Robbins read a letter from the Mayor of the City of Belleville thanking the City of Concordia for their gift of the 1959 International Fire truck.

LAW ENFORCEMENT PROFESSIONAL LIABILITY INSURANCE

Ross Olson and Gene Miller were present to discuss options and premiums of a Law Enforcement Professional Liability Insurance. Following a discussion, the Commission took no formal action but requested a copy of a policy to determine which option would fit our needs. Mr. Miller and Mr. Olson will provide that policy as soon as they receive it.

DISCUSSION OF MEETING AT TOPEKA WITH KDOT

There will be a meeting in Topeka next Wednesday with KDOT. Kirk Lowell is contacting persons in Belleville & Concordia to attend. Two of the Commissioners will attend and so therefore changed the meeting time from Wednesday to Thursday for next week's meeting.

PUBLICITY FOR NEXT MEETING

Commissioner Robbins moved to direct City Clerk Ferguson to notify the news media of the change in date for next week's meeting. Commissioner Bombardier seconded. Motion carried.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Robbins moved that at this time the Commission would recess into executive session for 30 minutes to discuss non-elected personnel matters. Commissioner Hattan seconded. Motion carried. Time: 7:22 p.m.

The Commission reconvened at 8:10 p.m.

Commissioner Hattan moved the Commission recess for an additional 20 minutes to continue discussion. Commissioner Robbins seconded. Time: 8:10 p.m.

The Commission reconvened at 8:30 p.m.

Commissioner Hattan moved the Commission recess for an additional ten minutes to continue discussion on non-elected personnel matters. Commissioner Bombardier seconded. Time: 8:30 p.m.

The Commission reconvened at 8:40 p.m.

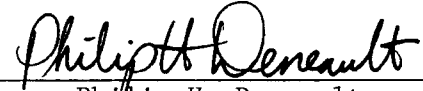
There being no further business, Commissioner Robbins moved to adjourn the meeting until Thursday, January 20, 1994, at 4:00 o'clock p.m. Commissioner Bombardier seconded. Motion carried.

The City Commission met in regular session on January 19, 1994, at 4:00 o'clock p.m. in the City Commission Room City Hall. Present: Commissioner Hattan. Absent: Commissioners Robbins and Bombardier.

Other officers present: Deputy City Clerk Deneault.

Commissioner Hattan moved that since no quorum was present, the meeting was adjourned until 4:00 o'clock p.m. on January 20, 1994, per the Commission decision made on January 12, 1994.

Meeting adjourned.



Philip H. Deneault
Deputy City Clerk

(Seal)
PHD:vf

The City Commission met in adjourned session on January 20, 1994 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, D. L. "Heavy" Layton, Judith A. McKee, Larry Blochlinger, Deb Wellendorf, Pat Murk, LaDonna Peltier, Barbara Kerr, Art Slaughter, Phil Gilliland, Kent Buer, Armand Balthazor, Jack Paulsen, Clay A. Randel, Larry Letourneau, Greg Lamb, Bud Kennedy, Eric W. Johnson, Dana Brewer, Ron Elniff, Brenda Sedlacek, Eldon Wisdom, Joe Strecker and Dennis McFall.

Minutes of the January 12, 1994, meeting were approved as written.

APPROPRIATION ORDINANCE NO. 1

APPROVED

Appropriation Ordinance No. 1 was approved according to law.

OLD BUSINESS

Commissioner Hattan asked for a report on the Kansas Department of Transportation Meeting that was held in Topeka on January 19, 1994.

Co-Manager Budreau reported they have established a time table and they presented several options.

Eric Johnson noted that the 81 Project has been separated into 3 projects. South of Concordia, through Concordia and north of Concordia. Mayor Robbins said that the Secretary of Transportation, Mike Johnston, was impressed with the number of people who came to Topeka.

Commissioner Hattan asked about the time frame for the 3 projects mentioned by Eric Johnson.

Eric said that in February 1995 the State would be buying land.

Commissioner Hattan asked if that would be done with federal money or state money.

Eric said it would be federal money.

Commissioner Robbins said that his impression was there were funds available to get from Concordia north to 3 miles south of 36 Highway and they (the state) would run out of funds. Secretary Johnston said that one of the options was to fix the highway to Belleville.

Eric said the bid date had been moved from March to April on the viaduct construction.

Eric said he tried to pin down Jim Brewer who is the Chief in the Bureau of Design, and he said it looks like they'll have plans done by the end of 1994 or early 1995. Between November and February, we ought to know precisely where the State is planning for the highway to go through.

ORDINANCE NO. 2597

PASSED

Mayor Robbins discussed the proposed language change in Section 2-81 of the Concordia Code. Co-Manager Budreau read the entire section to be changed. Following discussion the following ordinance was submitted.

An ordinance entitled "AN ORDINANCE PROVIDING ADDITIONAL DETAILS OF REGULATIONS CONCERNING COMMUNICATIONS BETWEEN CITY COMMISSIONERS AND CITY EMPLOYEES; AND AMENDING CONCORDIA CODE SECTION 2-81" was read and considered by sections. On roll call upon its passage, the following commissioners voted "Yea": Robbins, Bombardier and Hattan. "Nay": None. With all members-elect of the Commission having voted in favor thereof, the ordinance was passed and the City Clerk assigned to it No. 2597.

QUARTERLY INVESTMENT REPORT

ORDERED PLACED ON FILED

Co-Managers Budreau and Ferguson presented the fourth and final investment report per Ordinance No. 1860. The interest received year-to-date was \$53,738.92 which was \$5,845.43 less than was received in 1992. The average interest rate for 1993 was 3.09% compared to 3.30% in 1992.

Following discussion, Commissioner Hattan moved to accept the reports and ordered them placed on file. Commissioner Robbins seconded. Motion carried.

FIVE MEMBER COMMISSION DISCUSSION

THREE MEMBER COMMISSION RETAINED

Mayor Robbins opened the discussion saying he had had people calling him to change the number of commissioners from three to five. He said his reason for wanting a five member commission is the mandating from the federal government. He stated the load is considerable for 3 persons and he feels 5 minds are better than 3.

Former Commissioner Heavy Layton said he thinks 3 members are plenty.

Jack Paulsen seconded Heavy's comments and added that he couldn't see any advantage to having 5 members.

Armand Balthazor said he thought there should be representation from the different wards.

Commissioner Hattan advised that in the past 15 years, two commissioners have come from the First Ward, one commissioner from the Second Ward, and five commissioners have come from the Third Ward and four from the Fourth Ward. He went on to say that he had never heard anyone complain about their ward being shorted and he didn't remember anyone from Second Ward complaining even though 53% of the city's population lives in that ward.

Mayor Robbins stated that he had received the numbers of registered voters from County Clerk Betty Musick and they were: First Ward - 549; First Prec., Second Ward - 641; Second prec., Second Ward - 722; Third Ward - 925 and Fourth Ward - 523. He said these were the registered voters as of 12-21-1993.

Commissioner Bombardier reminded Armand Balthazor that he lived in his ward and he had gone to Mr. Balthazor's home and discussed problems with him.

Larry Letourneau said he represented his government in the voting booth. He said with his contact with people all the time, he is satisfied with 3 commissioners and the city seems to be working so Why Fix It?

Armand Balthazor said he had been coming to these meetings for 2 or 3 years and he wondered where all these people have been. Kent Buer asked if everybody in town had to be here. He didn't feel the need to be here every week and he was busy.

Armand continued the discussion saying again that he wanted 5 commissioners and wanted to get a vote of the people.

Jack Paulsen stated that he had served on the county commission for 12 years and he believes the commission should be voted for at large. That once wards and districts are established, there is a feeling that one district or another is better represented.

Eldon Wisdom said there is a tremendous amount of interest on the street to go to a 5 member commission. He felt there would be better cross section representation in the community.

Bud Kennedy said he agreed with Eldon.

Commissioner Hattan gave statistics on various forms of government but said that he did not have anyone calling him asking him to change the form of government.

Commissioner Bombardier said he agreed with Greg. That he has had no one call him that wanted 5 commissioners and that everyone was satisfied with 3.

Commissioner Robbins said that he had 10 or 12 calls who talked to him about changing the number of commissioners but that only 1 out of 4 wanted to change to a 5 member commission.

Commissioner Hattan asked Armand if he felt the County should go to 5 commissioners.

Armand said "Yeah, except they get too much money. The City Commissioners only get \$8 a month".

Armand wanted to know how to get this on the ballot and he wants Dave to inspect it.

Mr. Retter said he thought he should seek his own counsel and he would need a directive from the full commission.

Commissioner Hattan said he didn't think the City should finance it. It should not be on us to provide financing.

Ken Parker, minister at the First United Methodist Church, said he felt the Commission should not make decisions based on just the people in this room.

Eric Johnson said he was concerned that if we try a 5 member commission and weren't satisfied with that, what do we do next. Where does it stop? It worried him.

The discussion continued for some time, and then Commissioner Hattan moved that the Commission take no action to change the number of commissioners from 3 to 5 and further directed the City Attorney to represent the city commission. Commissioner Bombardier seconded. Motion carried unanimously.

PUBLIC COMMENTS

RON ELNIFF

Ron Elniff, representing the Recreation Commission, asked about expanding the basketball goals at the City Park. He said that is the meeting place for kids in the summer and provided cheap entertainment but there weren't enough basketball courts and goals. He was here just to plant a seed with the Commission and was not looking for a decision.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Robbins moved that at this time the Commission would recess into executive session for one and one-half hours to discuss property acquisition. Commissioner Bombardier seconded. Time: 5:10 p.m.

The Commission reconvened at 6:00 p.m.

Commissioner Robbins moved that at this time the Commission would recess into closed executive session for 30 minutes to discussion non-elected personnel matters. Commissioner Hattan seconded. Time: 6:00 p.m.

The Commission reconvened at 6:30 p.m.

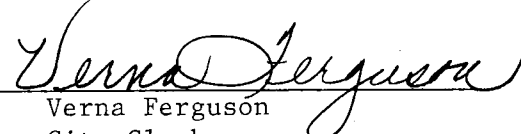
Commissioner Robbins moved the Commission recess for an additional 15 minutes to continue discussion on non-elected personnel matters. Commissioner Hattan seconded. Time: 6:30 p.m.

The Commission reconvened at 6:43 p.m.

STUDY SESSION - DATE SET

The Commission set the next Study Session at January 26, 1994 at 6:30 p.m.

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 on February 2, 1994, 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, Armand Balthazor, Brenda Sedlacek, Jack Graves, Judith A. McKee, Clay A. Randel and Dale Ferguson.

Minutes of the January 20, 1994, meeting were approved as written.

APPROPRIATION ORDINANCE NO. 2

APPROVED

Appropriation Ordinance No. 2 was approved according to law.

POLICE LIABILITY INSURANCE POLICY

DISCUSSED

Co-Manager Budreau continued the discussion on providing police liability insurance. To date, the low bid has been presented by National Casualty Insurance Co. in the amount of \$8,597.00. City Attorney Retter asked they table any final decision on this policy until he can get some definitions clarified. This item will be presented at the next meeting.

ESTIMATE OF COST - PROJECT ST-94-OLIVE

APPROVED

Co-Manager/City Clerk Ferguson presented an Estimate of Cost on improving Olive Street from 5th Street north to the railroad. The cost estimate is in the amount of \$5,049.00. Following discussion, Commissioner Bombardier moved to approve the cost estimate. Commissioner Robbins seconded. Motion carried.

DESIGNATION OF OFFICIAL DEPOSITORIES

APPROVED

Co-Manager/City Clerk Ferguson 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 Robbins, seconded by Commissioner Bombardier and duly carried to designate Citizens National Bank, First Bank and Trust and Tri-County National Bank to the official depositories for the City of Concordia.

ENGINEER'S ESTIMATE OF COST FOR SS-94-1 (VIADUCT)

APPROVED

Co-Manager Budreau presented to the Commission an engineer's estimate of cost for the relocation of 182 feet of sanitary sewer at the north end of the viaduct. This project is connected with the reconstruction of the viaduct on Highway 81, all located within the City of Concordia, Cloud County, Kansas. The engineer's estimate is in the total amount of \$13,240.00 with 100% of the costs to be assumed by the City-at-Large.

ORDINANCE NO. 2598 (PROJECT SS-94-1)

PASSED

Following approval of the Engineer's Estimate of Cost, City Attorney Retter submitted the following ordinance authorizing the project based on provisions cited in K.S.A. 12-618, K.S.A. 12-619 and K.S.A. 12-624.

An ordinance entitled "AN ORDINANCE OF THE CITY OF CONCORDIA, KANSAS AUTHORIZING AND PROVIDING FOR THE CONSTRUCTION OF MAIN INTERCEPTOR SEWER IMPROVEMENTS IN THE CITY; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF" was read and considered by the Commissioner Hattan seconded. Motion carried unanimously.

ORDINANCE NO. 2599 (VACATING A PORTION OF 20TH STREET)

PASSED

An ordinance entitled "AN ORDINANCE PURSUANT TO K.S.A. 14-423, ET SEQ., AS AMENDED, VACATING A PORTION OF 20TH STREET IN THE CITY OF CONCORDIA, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF" was read and considered by the Commission. Commissioner Robbins moved to approve the Ordinance. Commissioner Hattan seconded. Motion carried unanimously.

TREE CITY U.S.A. AWARD

SECOND YEAR

Director of Grounds Judith McKee was present to advise the Commission that she had received official notification and a news release naming Concordia as 1993 Tree City U.S.A. and further this is the second year in a row that Concordia has received this recognition.

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 15 minutes. Commissioner Hattan seconded. Time: 4:40 p.m.

The Commission reconvened at 4:55 p.m.

Commissioner Robbins moved the meeting be recessed for an additional 30 minutes to continue discussion on non-elected personnel matters. Commissioner Hattan seconded. Time: 4:55 p.m.

The Commission reconvened at 5:25 p.m.

Commissioner Robbins moved the meeting be recessed for an additional 20 minutes to continue discussion on non-elected personnel matters. Commissioner Hattan seconded. Time: 5:25 p.m.

The Commission reconvened at 5:45 p.m.

Commissioner Robbins moved the meeting be recessed for an additional 10 minutes to continue discussion. Commissioner Hattan seconded. Time: 5:45 p.m.

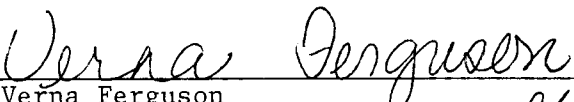
The Commission reconvened at 5:55 p.m.

STUDY SESSION

DATE SET

The Commission set the date of February 9, 1994, at 6:30 p.m. as the next study session.

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



Verna Ferguson
City Clerk

(Seal)

VF:lf

The City Commission met in regular session on February 16, 1994, 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/City Clerk Ferguson and City Attorney Retter.

Visitors present: Richard Smith from The Blade-Empire, Joe Jindra from KNCK/KCKS, Justin Streeter, Chad Lowell, Steven Forshee, Mickey Powell, Brenda Sedlacek, Armand Balthazor, Larry Letourneau, Clay A. Randel, Jack Graves, Kirk G. Lowell and Gary Meagher.

Minutes of the February 2, 1994, meeting were approved as written.

APPROPRIATION ORDINANCE NO. 3

APPROVED

Appropriation Ordinance No. 3 was approved according to law.

RESOLUTION NO. 1131 (CERTIFY COSTS TO COUNTY CLERK)

VIRGIL D. BALTAZOR

City Clerk Ferguson submitted a resolution to the Commission showing charges for cleaning up property that had required city crews to do the work at 606 E. 8th Street (West 1/2 Lot 2, Block 49). She stated that Park Department members had spent 12 1/2 Man Hours in cleaning up the property. The work was completed on November 2, 1993.

Following discussion, Commissioner Robbins moved that Resolution No. 1131 be approved and the charges of \$462.50 be certified to the County Clerk. Commissioner Bombardier seconded the motion. Motion carried.

BID AWARD (ANIMAL CONTROL PICKUP)

BILL SUMMERS FORD-MERCURY

Co-Manager/City Clerk Ferguson submitted three bids, all from the same car dealership, on a replacement vehicle for the animal control division of the Police Department. Bids were received for a 1988 Ford Ranger in the amount of \$6,495; a 1990 Ford Ranger in the amount of \$7,295; and a 1989 Dodge in the amount of \$5,995. Mrs. Ferguson explained that Mickey Powell from the Police Department had examined each of the vehicles and was recommending they purchase the 1990 Ford Ranger. Following discussion, Commissioner Bombardier moved that the City accept the bid from Bill Summers Ford-Mercury in the amount of \$7,295.00 for the 1990 Ford Ranger. Commissioner Robbins seconded. Motion carried.

ORDINANCE NO. 2600 (AMENDING ORDINANCE 2599)

PASSED

City Attorney explained this ordinance was needed to correct word "north" in Section 1 of Ordinance 2599 to read "south". Following discussion, the following ordinance was presented.

An ordinance entitled "AN ORDINANCE PURSUANT TO K.S.A. 14-423, ET SEQ., AS AMENDED, CONCERNING VACATION OF A PORTION OF 20TH STREET IN THE CITY OF CONCORDIA, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF; AND AMENDING ORDINANCE NO. 2599" 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. 2600.

PUBLIC COMMENTS

Armand Balthazor wanted to know where we were on the landfill fees. City Attorney Retter said that he and Sam Budreau had attended the County Commission meeting last Monday to advise the County the City was not in favor of a tipping fee because they felt that would result in people dumping their trash elsewhere. He went on to say that this is a County tax, not a city tax and that the County had gone forward with their plans to implement the additional charges without a formal engineering study. Commissioner Hattan said he felt there were lots of problems with the classifications.

Armand then said that he wanted the City to do a survey because he wants the County and the City to consolidate the police force. He said that since we are without a police chief right now, it would be the time to do.

Commissioner Robbins said this has been mentioned before. Riley County does this. Hutchinson is considering it.

Commissioner Hattan noted that the City and County already share facilities, communications, 911, copying, files, etc. From that point the County is responsible for different activities than the City and he could not see where the City or the County was duplicating services.

FIRE HAZARD DISCUSSION

FIRE CHIEF JACK GRAVES

Fire Chief Jack Graves submitted a prepared memorandum to the City Commission stating that he felt the Commission should invoke a ban on burning when conditions indicate that burning would be dangerous in the community. In his memorandum, he said that the National Weather Service Office has the fire index for North Central Kansas available at 8 a.m. the next morning and he would get this information to the radio station each day. He said the danger of grass burning is greatest between the months of February through April .

Following discussion, Commissioner Bombardier moved to accept Fire Chief Graves' recommendation to implement the burning ban and to notify the radio station each morning. Commissioner Robbins seconded. Motion carried.

Following the discussion, Chief Graves visited with radio station owner Joe Jindra. Mr. Jindra said that he would cooperate with this endeavor.

PUBLIC COMMENTS

JERRY RUUD

Jerry Ruud brought several water bills to show the commission saying that he felt the sanitary sewer amounts were too high because he had had water leaks in the apartment house. City Clerk Ferguson explained that we already had a policy in place for adjustments and for him to bring his paid plumber's bill into the office and city staff would handle the situation per policy.

COMMISSION INTO EXECUTIVE SESSION

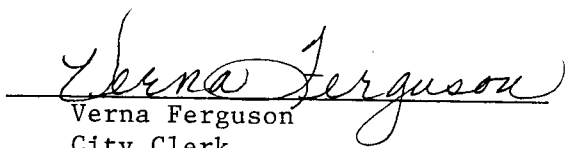
Commissioner Robbins moved that this meeting be recessed into a closed executive session for one hour to discuss non-elected personnel matters. Commissioner Hattan seconded. Time: 4:40 p.m.

The City Commission reconvened at 5:40 p.m.

Commissioner Hattan moved that the Commission resume the executive session for an additional 15 minutes. Commissioner Robbins seconded. Time: 5:40 p.m.

The Commission reconvened at 5:55 p.m.

There being no further business, Commissioner Hattan moved to adjourn the meeting until 6:30 p.m. on Wednesday, February 23, 1994. Commissioner Bombardier seconded. Motion carried.


Verna Ferguson
City Clerk

(Seal)

vf

The City Commission met in adjourned session on February 23, 1994, 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: Ramona Derousseau, Brenda Sedlacek, Art Eakins, Clay Randel, Jack Graves and Dale Ferguson.

ENGINEER'S ESTIMATE ON PROJECT SS-94-2 (DEWATERING)

APPROVED

Co-Manager Ferguson presented the engineer's estimate on the dewatering project which is in conjunction with the sanitary sewer relocation between 1st and 2nd Streets that is involved with the viaduct project scheduled for the summer of 1994. Following discussion, Commissioner Robbins moved to approve the engineer's estimate in the amount of \$10,545.00 with the city-at-large responsible for 100% of the project. Commissioner Hattan seconded. Motion carried unanimously.

RESOLUTION AUTHORIZING PROJECT SS-94-2 (DEWATERING)

TABLED

City Attorney asked that the resolution authorizing this project be tabled until the next meeting contingent upon clarification from Gilmore & Bell, the City's bond counsel. Following discussion, Commissioner Robbins moved to table any action on this resolution. Commissioner Bombardier seconded. Motion carried.

REQUEST FROM RAMONA DEROUSSEAU

PROPOSED LEGISLATION ON USE OF ALCOHOL FUNDS

Ramona Derousseau, representing the Community Resources Council, was present to request the City Commission send a letter to Senator Ramirez, who chairs the committee on alcohol funds allocation, requesting that certain language be deleted from proposed legislation. She explained that if the language was left in, only licensed organizations such as Pawnee Mental Health would have access to these funds, and the flexibility the Community Resources Council now had would not be available to them. She said the Community Resources Council is committed to prevention as well as rehabilitation. Uses that are now funded by alcohol funds are the teen dances, Youth Center, Senior Party. These are alcohol free activities for the youth of the community which she feels is very important. Following discussion, the Commission agreed to send a letter to Senator Ramirez.

EXECUTIVE SESSION

Commissioner Hattan moved that at this time the City Commission go into executive session to discuss non-elected personnel matters for ten minutes. Commissioner Robbins seconded. Time: 6:40.

The City Commission reconvened at 6:50.

JACK GRAVES APPOINTED AS ACTING CITY MANAGER

Following the executive session, Commissioner Hattan moved that Jack Graves be appointed as acting City Manager for the month of March. Commissioner Bombardier seconded. Motion carried.

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



Verna Ferguson
City Clerk

(Seal)

VF:lf

The City Commission met in regular session on March 2, 1994, 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: Acting City Manager Jack Graves and City Clerk Verna Ferguson.

Visitors present: Richard Smith from The Blade-Empire, Joe Jindra from KNCK-KCKS, Larry Blochlinger, Art Eakins, Patricia Eaton, Gary Reynolds, Ken Campbell, Armand Balthazor, Clay A. Randel, Kirk G. Lowell, Jerry Ruud, John Cyr, Bill Mason, Kent Buer and Phil Gilliland.

Minutes of the February 16th and February 23, 1994, meetings were approved as written.

APPROPRIATION ORDINANCE NO. 4

PASSED

Appropriation Ordinance No. 4 was passed according to law.

ORDINANCE NO. 2601 (PROJECT SS-94-2; DEWATERING)

APPROVED

Prior to the meeting, City Attorney Retter had prepared an ordinance authorizing this project. The Engineer's Estimate had been approved at the meeting held February 23, 1994. Following discussion, the following ordinance was present.

An ordinance entitled "AN ORDINANCE OF THE CITY OF CONCORDIA, KANSAS, AUTHORIZING AND PROVIDING FOR THE CONSTRUCTION OF MAIN INTERCEPTOR SEWER IMPROVEMENTS IN THE CITY; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF" was read and considered by sections. On roll call upon its passage, the following commissioners voted "Yea": Robbins, Bombardier and Hattan. "Nay": None. With all members-elect of the Commission having voted in favor thereof, the ordinance was declared passed and the City Clerk assigned to it No. 2601.

BID AWARD ON 1994 MOWER FOR PUBLIC GROUNDS DEPARTMENT

EXCEL SALES, INC.

Acting City Manager Graves submitted a bid tabulation for a 1994 mower for use in the Public Grounds Department which were received on February 21, 1994. The following bids were received.

| <u>BIDDER</u> | <u>BASE BID</u> | <u>BID WITH TRADE-IN</u> |
|----------------------------|-----------------|--------------------------|
| Excel Sales, Inc. | \$12,345.00 | \$9,845.00 |
| Coast to Coast (Deines) | 9,500.00 | 8,300.00 |
| Heckendorn, Inc. | 12,105.00 | 10,105.00 |

Art Eakins, Foreman for the Public Grounds Department, was present to answer questions about the mower bids and the capabilities of the mowers bid. Mr. Eakins advised that Judith McKee, Director of Public Grounds, and he felt the best bid was from Excel Sales, Inc. Mr. Eakins explained the narrow mower attachment on the front of the mower from Excel Sales that enabled the workers at the cemetery to mow around the tombstones at the cemetery and they would have fewer damaged stones with this type mower. Following discussion, Commissioner Robbins moved to accept the bid from Excel Sales, Inc. in the amount of \$9,845.00. Commissioner Hattan seconded. Motion carried unanimously.

AMBULANCE CHARGE-OFFS (JANUARY 1 THROUGH JUNE 30, 1993)

ACCEPTED

City Clerk Ferguson presented the ambulance charge off list for the period of January 1, through June 30, 1993. The total charge-off amount for this period are \$8,939.40. This compares with \$10,292.39 for the previous period. Following discussion, Commissioner Bombardier moved to accept the charge-off list and ordered them placed on file. Commissioner Robbins seconded. Motion carried.

JACK GRAVES AUTHORIZED TO SIGN DOCUMENTS

CDBG GRANT

Commissioner Hattan moved that Jack Graves be authorized to sign documents relating the on-going CDBG grant since his appointment as Acting City Manager. Commissioner Bombardier seconded. Motion carried.

LEAGUE OF KANSAS MUNICIPALITIES BALLOT

APPROVED

City Clerk Ferguson presented information on the League of Kansas Municipalities' quest to resolve their office space situation. Their preference is to purchase the "Victory Life Building" across the street from the State Capitol Building. All the information on the various options had been provided to the Commission prior to this

meeting. In approving this ballot, the City is accepting responsibility for the increase in their membership dues. Following discussion, Commissioner Hattan moved to authorize the Mayor to sign the ballot indicating a "Yes" vote in favor of purchasing the "Victory Life Building" for use by the League of Kansas Municipalities. Commissioner Bombardier seconded. Motion carried unanimously.

DELBERT EATON RECOGNIZED

Director of Utilities Clay Randel submitted a request to recognize Delbert Eaton, Water Well Operator for the City of Concordia for obtaining his Class II State Certification. Mr. Randel recognized Mr. Eaton's many hours of his own time in preparing for the State test. Mayor Robbins and the Commissioners complimented Mr. Eaton for his accomplishment.

ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) FLOOD GRANT APPLICATION

APPROVED

Kirk Lowell, Director of CloudCorp, presented to the Commission the information on flooding problems encountered at the Industrial Park during the year of 1993. The businesses most affected by the flooding problems were ABB Raymond, Pueblo Chemical and Constructive Playthings. He explained there are grants, not planning grants, but active grants available. He explained this is 3 to 1 money -- for every dollar the City and County put in, the federal government puts in three dollars.

John Cyr, representing the North Central REgional Planning Commission, was available for further information and to answer any questions the Commission had on this grant application. He explained that Kansas was No. 3 in the 7 midwestern states targeted for federal grant money. He said that Cloud County had sustained the most damage in the ten county area he represented. Mr. Cyr said he felt this application has a fair chance of being funded, but if it wasn't, then we at least would get our foot in the door to buy some more time. He said the grant application was based on a "worst case" scenario in the amount of funding requested.

Commissioner Hattan asked about the time frame.

Mr. Cyr said the application should be submitted by the first of next week. If the initial grant application is accepted, then we may be requested to submit a full application within ten days.

Commissioner Bombardier asked that if a person owned property in this Industrial Park Area, should they vote on this matter.

Mr. Cyr advised that it might be perceived to be a conflict of interest.

(Here there was a long discussion about the landfill situation which will be documented following the conclusion of the discussion on the grant application)

Commissioner Hattan moved to approve the City's participation based on the following:

1. Permission for City of Concordia Mayor to sign an EDA joint grant application with Cloud County in the amount of \$487,000.00.
2. Limit City of Concordia Local EDA grant benefit district support to \$60,875.00.
3. Reserve right to reject EDA grant if the businesses & industries in the flood control project reject benefit district taxation.
4. Reserve the explicit right to reject the awarded EDA grant for whatever reason.
5. City of Concordia will only participate if Cloud County also formally participates.

Commissioner Robbins seconded. Commissioner Bombardier abstained from voting. The motion was approved by two-thirds of the Commission.

LANDFILL PROBLEMS DISCUSSED

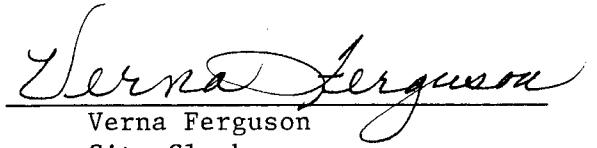
Commissioner Hattan asked John Cyr about the landfill problems facing rural Kansans. He wondered at the EPA's designation of 25" rain being the cut-off for allowing waivers. He explained that since Concordia's average rainfall is 27", that it was going to cost us between \$300,000 and \$400,000.

Mr. Cyr advised that it is a federal problem, not a state problem. This situation has to go back to Congress. He said the law has been in effect and just sitting there since 1988 and now the counties are really being hit hard because of deadlines. He said there is an on-going discussion of a Class Action Lawsuit....but that would be going against the U. S. Government. He said that he felt there was really nothing that could be done at this point. Commissioner Hattan asked that if the County acquiesced and start hauling the trash, can we go back to the way we were?

Mr. Cyr said in the beginning the law set the cut-off requirement at 40" rainfall per year, and since has backed that down to 25". He said he felt that was a number that was just picked when the law was written.

There was more discussion, but no resolution to the problem.

There being no further business, Commissioner Bombardier moved to adjourn the meeting until 6:30 o'clock p.m. on March 4, 1994. Commissioner Robbins seconded. Motion carried.


Verna Ferguson
City Clerk

(Seal)

The City Commission met in adjourned session on March 4, 1994, at 8:00 p.m. in the City Commission Room, in City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: City Attorney David E. Retter.

Visitors present: Chad Olsen, Jr.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Hattan moved that the meeting be recessed into closed executive session for two hours to discuss non-elected personnel matters. Commissioner Robbins seconded. Chad Olsen and City Attorney Retter were invited to attend the executive session. Time: 8:10 p.m.

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

There being no further business, Commissioner Bombardier moved to adjourn the meeting, and Commissioner Hattan seconded. The motion was unanimously carried.



David E. Retter
City Attorney

(Seal)

DER:lf

The City Commission met in Special Session on March 9, 1994 at 6:30 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: Acting City Manager Jack Graves, City Attorney Retter and Secretary Lisa Fleming.

Visitors present: Jerry D. Ruud, Armand Balthazor, Walt Huber, M.L. Powell, Robert Burns, Ken Johnson, Clay Randall, Tom Fisher and Brenda Sedlacek.

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 : March 9, 1994
Time : 6:30 o'clock p.m.

The object of said meeting will be as follows:

1. Call to Order.
2. Consideration of Engineer's Estimate for Project SS-94-3.
3. Consideration of Ordinance No. 2602 Authorizing Project SS-94-3.
4. Adjournment to Study Session.

/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 6:30 p.m. on the 9th day of March, 1994, 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 : March 9, 1994
Time : 6:30 o'clock p.m.

The object of said meeting will be as follows:

1. Call to Order.
2. Consideration of Engineer's Estimate for Project SS-94-3.
3. Consideration of Ordinance No. 2602 Authorizing Project SS-94-3.
4. Adjournment to Study Session.

(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 p.m. on the 9th day of March 9th day of March, 1994, and to make a return in writing of said service, showing the manner of such service.

/s/ Lisa Fleming
Secretary

(Seal)

RETURN OF SERVICE

The undersigned received the original notice of Special City Commission meeting, of which the foregoing is a copy at, 5:53 o'clock p.m., March 7th, 1994 (LaVern C. Robbins); 3:40 o'clock p.m., March 7th, 1994 (Gregory L. Hattan); and 1:00 o'clock p.m., March 7th, 1994 (Isadore Bombardier).

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

ENGINEER'S ESTIMATE ON PROJECT SS-94-3 (SANITARY SEWER)

APPROVED

Acting City Manager Jack Graves presented the engineer's estimate on the relocation of the sanitary sewer line in alley between 4th & 5th Streets to alley between 5th & 6th Streets, due to viaduct replacement. Following discussion, Commissioner Bombardier moved to approve the engineer's estimate in the amount of \$27,969.00 with the city-at-large responsible for 100% of the project. Commissioner Hattan seconded. Motion carried unanimously.

ORDINANCE NO. 2602 (PROJECT SS-94-3; SANITARY SEWER RELOCATION)

APPROVED

Prior to the meeting, City Attorney Retter had prepared an ordinance authorizing this project. The Engineer's Estimate was approved on March 9, 1994 (as stated above). Following discussion, the following ordinance was presented.

An ordinance entitled "AN ORDINANCE OF THE CITY OF CONCORDIA, KANSAS, AUTHORIZING AND PROVIDING FOR THE CONSTRUCTION OF MAIN INTERCEPTOR SEWER IMPROVEMENTS IN THE CITY; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF" was read and considered by sections. On roll call upon its passage, the following Commissioners voted "Yea": Robbins, Bombardier and Hattan. "Nay": None. With all members-elect of the Commission having voted in favor thereof, the ordinance was declared passed and the City Clerk assigned to it No. 2602.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Hattan moved that this meeting be recessed into a closed executive session for 10 minutes to discuss non-elected personnel matters. Commissioner Robbins seconded. Time: 6:40 p.m.

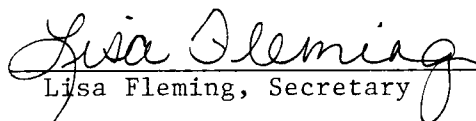
The City Commission reconvened at 6:50 p.m.

PUBLIC COMMENTS

Armand Balthazor wanted to know how the 5.9 mills (set out for lawyers fees in the fire-fighters lawsuit) was going to be used. Commissioner Hattan informed Mr. Balthazor that \$50,000 was used to pay off a temporary note. Armand wondered if the City could use the rest of the money on the highway project through town. The state has not yet allocated any funds for the highway project.

There was also discussion on costs of repairing the drainage problem on Industrial Road by Pueblo Chemical and ABB Raymond. The grant that was applied for will help in the costs, along with City, County and adjoining property owners. Armand suggested cleaning out the ditches would help in the drainage problem.

There being no further business, Commissioner Robbins moved to adjourn the meeting until 4:00 o'clock p.m. on March 16, 1994. Commissioner Bombardier seconded. Motion carried.


Lisa Fleming, Secretary

(Seal)

The City Commission met in regular session 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: Acting Manager Graves, City Clerk Ferguson and City Attorney Retter.

Visitors present: Joe Jindra from KNCK/KCKS, Dale Ferguson, Judith A. McKee, Mark C. Morgan, Mickey Powell, Brenda Sedlacek, Tom Fisher, Clay A. Randel, Armand Balthazor and Larry Blochlinger.

Minutes of the March 2, March 4, and March 9, 1994, meetings were approved as written.

APPROPRIATION ORDINANCE NO. 5

APPROVED

Appropriation Ordinance No. 5 was approved according to law.

PROCLAMATION

ARBOR DAY

Judith McKee presented the Commission with a proclamation naming March 25, 1994, as Arbor Day. The Mayor signed the proclamation.

BID AWARD ON TEMPOARY NOTES FOR PROJECTS SS-94-1,
SS-94-2 & SS-94-3

CITIZENS NATIONAL BANK

City Clerk Ferguson presented a bid tabulation prepared following bids received for the interest on \$51,754.00 in temporary notes to finance the relocation of sanitary sewer lines involved with the 1994 Viaduct project. The following bids were received.

| <u>Name of Bank</u> | <u>Interest Rate</u> | <u>Annual Interest Cost</u> |
|------------------------|----------------------|-----------------------------|
| Citizens National Bank | 4.0% | \$ 2,070.16 |
| UMB First Bank | 4.10 | 2,121.91 |
| Tri County Bank | 5.39 | 2,789.54 |

The difference between the high and low bid is \$719.38 annually.

Folloiwnng discussion, Commissioner Hattan moved to award the bid to Citizens National Bank. Commissioner Bombardier seconded. Motion carried unanimously.

REPORT FROM CABLECOM OF CONCORDIA

Gail Engle, local representative for Cablecom, submitted the annual report.

SET-OFF PROGRAM

City Clerk Ferguson reported the City was beginning to receive money from delinquent accounts that had been submitted to the Kansas Department of Revenue on the Set-Off Program.

MARK MORGAN-COUNTY COMMISSIONER

SPRING CLEAN-UP

Cloud County Commissioner Mark Morgan attended the meeting to request the City sponsor a Spring Clean-Up. He said we needed to get as much trash and debris hauled to the landfill before April 8th to eliminate the need to haul it to Salina. He asked for City Trucks and City Employees. He also said he will try to find some local civic clubs to offer volunteers to help. Also, he said a farmer friend of his was willing to donate a truck.

Following discussion, the City Commission said they felt it was a good idea and offered City trucks and crews to help. Larry Blochlinger said he would help get volunteers also. The next step, they said, is to set dates and to get the project organized.

MUDJACKING PROJECT AT HOOD PARK

JUDITH MC KEE

Judith McKee advised that the mudjacking project had been completed at Hood Park this afternoon.

BROWN GRAND PROJECT

TOM FISHER

Tom Fisher advised that he had asked the Brown Grand Board of Directors of some direction on the sidewalk project the city is helping with.

T-HANGAR PROJECT - PELLA BUILDINGS

DAVID RETTER

City Attorney David Retter told the Commission that the contract with Pella Buildings had been cancelled as of this date. Commissioner Hattan asked for a time frame. David replied that the City will have some options available. We can take the money and rebid the project or the bonding company can hire the contractor.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Robbins announced that at this time the City Commission would go into executive session to discuss non-elective personnel matters for 15 minutes. Time: 4:25 p.m.

The City Commission reconvened at 4:37 p.m.

NEW CITY MANAGER HIRED

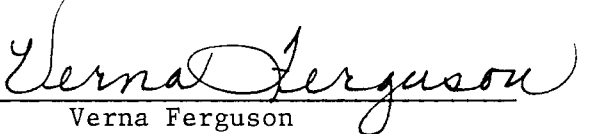
CHAD OLSEN JR.

Following the executive session, City Attorney Retter announced that the City Commission had hired Chad Olsen, Jr. from Gillette, Wyoming, as the new city manager and that he would begin his duties on April 17, 1994.

PUBLIC COMMENTS

Armand Balthazor asked about an expenditure on the Appropriations Ordinance.

There being no further business, Commissioner Bombardier moved to adjourn the meeting to 6:30 p.m. on March 23, 1994. Commissioner Robbins seconded. Motion carried.


Verna Ferguson
City Clerk

(Seal)

The City Commission met in adjourned session on March 23, 1994, at 6:30 o'clock p.m. in the City Commission Room at the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: Acting City Manager Graves and City Clerk Ferguson.

Visitors present: Dallas Nading from KNCK/KCKS, Mickey Powell, Judith A. McKee, Robert Burns, Brenda Sedlacek, Tom Fisher, Jim Mosher, Armand Balthazor and Dale Ferguson.

RESOLUTION NO. 1132 (TEMPORARY NOTES-PROJECT SS-94-1;
SS-94-2 AND SS-94-3)

PASSED

Acting City Manager Graves presented a resolution that had been prepared by Gilmore & Bell, Bond Counsel to the City, authorizing the temporary notes to finance sanitary sewer relocation in the amount of \$51,754.00. Following discussion, Commissioner Bombardier moved to approve the temporary notes. Commissioner Hattan seconded. Motion carried unanimously.

COMMISSION INTO EXECUTIVE SESSION

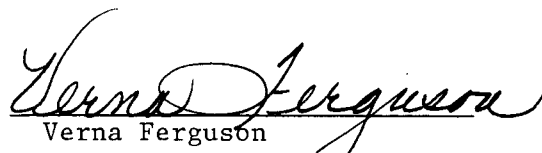
Commissioner Robbins announced that at this time the City Commission would go into executive session to discuss non-elected personnel matters for 15 minutes. Commissioner Bombardier seconded. Time: 6:55 p.m.

The City Commission reconvened at 7:10 p.m.

JACK GRAVES TO CONTINUE AS ACTING CITY MANAGER

Following the executive session, Commissioner Bombardier moved to continue the appointment of Jack Graves as Acting City Manager until April 16, 1994. Commissioner Robbins seconded. Motion carried unanimously.

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


Verna Ferguson
City Clerk

(Seal)

vf

The City Commission met in regular session at 4:00 o'clock p.m. on April 6, 1994, in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

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

Visitors present: Joe Jindra from KNCK/KCKS, Brad Lowell from The Blade-Empire, Judith McKee, Mickey Powell, Dale Ferguson, Brenda Sedlacek, Brian Berner, Zella Moore, Tom Fisher, Clay A. Randel, Helen Ruzicka, L.J. Ruzicka, Bob Ruzicka, Jerome Sorell, Larry Brown, Diann Ruzicka, Randy Ballard, Gertrude Breault and Tracie Lewis.

Minutes of the March 16, 1994, and March 23, 1994, meetings were approved as written.

APPROPRIATION ORDINANCE NO. 6

APPROVED

Appropriation Ordinance No. 6 was approved according to law.

PROCLAMATION

EARTH WEEK

Gail Revell of NCK Recycling contacted Acting Manager Jack Graves prior to the meeting and asked the City Commission proclaim the week of April 18th through April 24th as Earth Week. The Mayor signed the proclamation.

BID AWARD FOR 1994 POLICE VEHICLE

BILL SUMMERS FORD-MERCURY

Acting Manager Graves presented a bid tabulation to the Commission on the purchase of a new police vehicle. Bids were accepted on March 28, 1994. The following bids were received:

| <u>NAME OF BIDDER</u> | <u>BASE BID</u> | <u>POLICE PACKAGE</u> | <u>LESS TRADE-IN</u> | <u>TOTAL BID</u> |
|--|-----------------|-----------------------|----------------------|------------------|
| Babe Houser Motors 1995 Lumina | \$13,850.00 | -0- | - \$400.00 | \$13,450.00 |
| Bill Summers Ford-Mercury 1994 Ford | \$14,049.00 | | - 300.00 | 13,749.00 |
| 1994 Ford | 12,769.00 | | - 300.00 | 12,469.00 |

Delivery date for both dealerships: 6 to 9 weeks.

Following discussion on the merits of whether or not to include the police package, Commissioner Bombardier moved to accept the bid from Bill Summers Ford-Mercury for the vehicle with police package in the amount of \$13,749.00. Commissioner Robbins seconded. Motion carried.

BELOIT READY-MIX INC.

DEVELOPMENT AGREEMENT NEEDED

City Attorney Retter advised the Commission that just today the City had received an engineer's estimate on a water line to the area. He asked for guidance from the Commission on how to proceed. He indicated several items that needed addressed were:

- Sanitary Sewer issue - can they use a septic tank?
- Zoning Issue - they may need a Special Use Permit. Would the City issue a conditional permit? City should be consistent.
- Consider the responsibilities of Economic Development incentives. Their capital investment will be between \$40,000 and \$50,000 and the creation of 5 jobs. They are located in the Enterprise Zone. Resolution 1105 provides for a free water tap and free hook up in an enterprise zone.

Commissioner Robbins said he understood they wanted the City to run a two inch water line to the site. Asked if Pueblo Chemical had a septic tank. Said he didn't have a problem with that.

City Attorney Retter said the City should make it clear it wouldn't accept a permanent situation with a septic tank. AT some point when a sewer line is available, they would have to hook up to it. A six-inch line is needed for fire protection.

Commissioner Hattan made the following suggestions:

- 1) Following zoning ordinance - get time frame.
- 2) Need a diagram of the building.
- 3) Has no problem with septic tank - sees no problem with that.
---Should be required to hook up to sewer line when available.
- 4) Need a 6" line with fire hydrant - City to pay half.
- 5) Beloit Ready-Mix will be required to maintain private road.

Acting Manager Graves asked if they would need to provide us with easements.

Commissioner Hattan said to add easement needs to the lease.

City Attorney Retter suggested that he could prepare a Development Agreement similar to the one the City did on Archer Street.

Acting Manager Graves felt the City needs more information on septic tank at Pueblo Chemical.

CEREAL MALT BEVERAGE LICENSE

PIZZA HUT, INC.

City Clerk Ferguson presented the Commission with an application from Kent Applebee d/b/a Pizzaco, Inc. for a cereal malt beverage license for the new location of Pizza Hut at 2112 S. Lincoln. Following discussion, Commissioner Hattan moved to approve the license. Commissioner Bombardier seconded. Motion carried.

RESOLUTION NO. 1133 (STOPPING CRIME AND VIOLENCE IN OUR TOWNS & CITIES)

PASSED

Acting Manager Graves presented a resolution to the Commission entitled "Stopping Crime and Violence in Our Towns & Cities". Following a short discussion, Commissioner Hattan moved to adopt the resolution. Commissioner Bombardier seconded. Motion carried.

T-HANGAR PROJECT UPDATE

City Attorney Retter advised the Commission that the City is currently standing on the termination of the contract with Pella Buildings. As yet, the conditions haven't been met. He sent correspondence to them on April 4th. The concrete work is set to be done between April 11th and April 30th, etc. At the last meeting, Ron Solt was there with his attorney. Mr. Solt has asked that if the contract is to be continued with Pella Buildings, he wants his check deducted from any money due to Pella Buildings....in other words, he wants his check directly from the City.

More information is to be provided as project develops.

COMPOST PILE DISCUSSION

The Commissioners asked about the progress of the compost pile. City Attorney Retter advised that he is working on the project. The land the city owns is subject to a farm lease. Also there is a need to obtain a permit from Kansas Department of Health and Environment.

Tom Fisher advised that large tree limbs would still need to be taken to the County Landfill... there will be a place for them there.

BROWN GRAND SIDEWALK PROJECT

Tom Fisher said that he was still waiting on plans before that project could be completed.

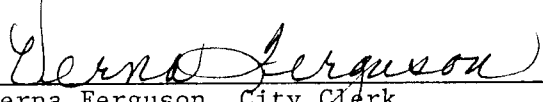
PUBLIC COMMENTS

Jerry Sorell asked if anybody knew where the sanitary sewer lines would run along the viaduct. Clay Randel and Tom Fisher visited with Mr. Sorell.

ANNOUNCEMENT OF RECEPTION FOR BOB RUZICKA, LOU FROHARDT BRIAN BERNER & SHERRI NOVLAN

Commissioner Robbins announced that immediately following the meeting a reception was being held to thank Bob Ruzicka and Lou Frohardt for their many years as pool managers and to welcome Brian Berner and Sherri Novlan as the new co-managers.

There being no more business, Commissioner Bombardier moved to adjourn the meeting until April 13, 1994 at 6:30 p.m. Commissioner Robbins seconded. Motion carried.


Verna Ferguson, City Clerk

The City Commission met in adjourned session at 6:30 o'clock p.m. on April 13, 1994, in the City Commission Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

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

Visitors present: Mickey Powell, Amy Helton, Judith A. McKee, Armand Balthazor, Kirk G. Lowell, Brenda Sedlacek, Clay A. Randel, Tom Fisher, Eric W. Johnson, John Cyr, Ken Campbell and Dale Ferguson.

DEROWITSCH CONSTRUCTION CO. CONTRACT (SS-94-1&2)

APPROVED

Acting Manager Graves advised that he met with Bill and Kevin Derowitsch along with Eric Johnson, David Retter and Verna Ferguson. The City asked that one manhole be deleted and submitted on a separate voucher because the extra manhole had not been included in the original engineer's estimate but was added later due to requirements from Kansas Dept. of Health & Environment. Mr. Derowitsch also reduced his trench and backfill bid by \$5.00 per foot. This brings their bid down to \$21,890.00 for the two projects.

Commissioner Robbins asked for information on the dewatering.

Tom Fisher said that dewatering requires putting down wells, that it is a continuous operation until the project is completed. This was a big problem last year on the sanitary sewer project in northeast Concordia.

Mr. Retter wanted to make it clear that the extra manhole would not be deleted from the project but would be billed separately.

Following discussion Commissioner Robbins moved to accept the contract and the mayor and city clerk were authorized to sign the contract. Commissioner Bombardier seconded. Motion carried.

BELOIT READY-MIX DISCUSSION

City Attorney Retter presented a Development Agreement. The Agreement will need to be signed by all three owners: 1) Hood Construction Co., 2) Daniel and Cindy Koch and 3) Beloit Ready-Mix or Blaine Engelbert.

The Development ~~Agreement~~ sets out the City's share as 50% with the owners of the property to share the remaining 50%. City Attorney Retter said we would grant a waiver of the hook up to sanitary sewer ~~xxxxxxxxxx~~ **at this time and would** allow a septic system which can be provided for the in Development Agreement.

The owners of the property would be required to give the City a permanent 20' easement.

We could offer conditional zoning which is not a guarantee because the owners would still be required to go before the Board of Zoning Appeals and they would have to assume some risk.

Mr. Retter continued....we have two estimates prepared. One estimate is figured with no labor costs included and one estimate includes labor costs.

Kirk Lowell said one reason we have two estimates is because he was wondering if it would be possible for these owners to do the work themselves as long as it is done to City Specifications. He said he needed to find out what the City is willing to do. All three have agreed to the 20 foot easement. Also, Kirk said he has asked for an easement at the north end of the tracks - that would involve Koch and Beloit Ready-Mix.

David said there has been a change in the estimates since the last presentation as Koch has asked that a 3/4" tap be included.

Kirk asked what is the City willing to do? As far as cost sharing?

Kirk said the two inch line has been thrown out. Fire Chief Graves is not comfortable with not having a fire hydrant. Kirk said that two meters would be located in the same pit and private lines will be installed by the owners at 100%.

City Attorney Retter asked the Commission if we should allow them to start construction with conditional zoning?

Commissioner Robbins voiced approval for the project saying that it was an opportunity to provide 4 to 5 jobs.

Kirk informed the Commission that CloudCorp did get a sales tax exemption on new equipment and that they were located in an enterprise zone which provided some help. He wondered if they could have access to a 15 year assessment?

City Attorney Retter felt they could go ahead with conditional zoning but that the owners would be assuming some risk.

EDA FLOOD GRANT APPLICATION

Acting Manager Graves advised that a meeting had been held that morning with John Cyr from the NCRPC in attendance along with Kirk Lowell and other city staff.

Kirk began with the information that we did the preliminary grant application and we made it through the first round. The deadline to complete the final grant application is May 5th. John Cyr said we have a chance to extend that deadline but not for very long.

Mr. Cyr advised that the original application was for \$487,000. Local governments are required to provide 25%. The State of Kansas is now in receipt of the money. North Central Kansas received the opportunity to submit 4 applications. EDA sees north central Kansas as the worst hit area. Expansion Magazine has done two articles on this area. It took me two minutes on the phone this morning to get \$121,000. If we get our application submitted, it's "for sure".

Commissioner Robbins asked if this would eliminate the county and the city participation? Mr. Cyr said their might still be some participation required.

Mr. Cyr went on to talk about the impact on the 8 to 10 businesses in the industrial area that had flood problems.

Kirk said he had had a meeting with all of those people in the area and they all felt that something needed to be done. Of all the businesses he contacted he asked if they were sure they wanted to pursue this. Kirk said that ABB Raymond and Puebloe had even shown some interest in a benefit district. He had talked to Tom Warta about it.

Commissioner Hattan said he was not opposed to submitting the application.

Commissioner Robbins said this area needs improvement.

Kirk said the flood of 1993 got us over the Center but even in normal years they have flooding problems out there with a two or three inch rain. (In the interest of) economic development, we need the area secure out there.

City Attorney Retter asked for direction from the Commission.

All the Commissioners were in agreement to follow up with the application.

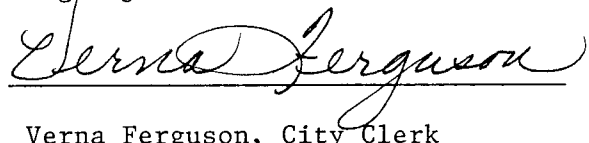
SWIMMING POOL DISCUSSION

Grounds Dir. McKee advised the Commission of some of the problems facing the pool each year. One was the costs of keeping the pool open after school starts and the staffing problems this creates. Would the Commission consider closing the pool the day before school starts. She also discussed the costs associated with keeping the pool open for the high school and the reasons why the high school uses the City's pool. One was the fact that it is a 25 meter pool. She explained these items need addressed soon as the pool manuals are being prepared, we have two new managers and contracts are being submitted to the applicants and we usually put the ending date of the pool season on the contracts.

JACK GRAVES

Acting Manager Graves thanked the Commission for the opportunity to serve as acting manager but that he was looking forward to Monday. He also thanked City Staff for their cooperation and help during this period.

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



Verna Ferguson, City Clerk

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 20, 1994.

The City Commission met in regular session at 4:00 o'clock p.m. on April 20, 1994, in the City Commisison Room in the City Hall. Mayor Robbins presided with Commissioners Bombardier and Hattan present. Absent: None.

Other officers present: City Manager Chad C. Olsen, City Clerk Ferguson and City Attorney Retter.

Visitors present: Richard Smith from The Blade-Empire, Joe Jindra from KNCK/KCKS, Joyce Robbins, Jeremy Wills, Allen Kindel, Ruth Bombardier, Larry Letourneau, K.I. Menzies, D.L. "Heavy" Layton, Mickey Powell, Damian Nobert, Judith McKee, Clay A. Randel, Tom Fisher, Betty Losh, Michelle Gallagher, Robert L. Steimel, Kirk G. Lowell, Brenda Sedlacek, Jack Graves, Jim Ihrig, Dale Ferguson, Armand Balthazor, Larry Blochlinger, Fedora M. Nobert, Maryjo Stortz, ARmond Naillieux, Eric W. Johnson, Carole A. Johnson, Andrew Johnson, Janice Hattan, Jennifer Hattan and Paul A. Johnson.

Minutes of the April 6, 1994 and April 13, 1994 meetings were approved as written.

The Commission introduced Chad C. Olsen, the new City Manager.

APPROPRIATION ORDINANCE NO. 7

APPROVED

Appropriation Ordinance No. 7 was approved according to law.

PROCLAMATION

BUDDY POPPY DAY

Fedora Nobert and Maryjo Stortz were present to request the Commission to proclaim April 23, 1994, as Buddy Poppy Day in recognition of our veterans. The Mayor signed the proclamation.

ENGINEER'S ESTIMATE (WL-94-1 - BELOIT READY MIX)

APPROVED

City Attorney Retter presented the engineer's estimate on the proposed construction of a water line north of Highway No. 9 East of Hood Construction Co. and north 400 feet. Mr. Retter explained that two estimates were being presented. One with labor costs included and one without labor costs included. He recommended the City Commission adopt the estimate with all the costs included even though the owners of the property were planning on providing all the labor involved with the improvement. Mr. Retter explained the estimate sets the budget for the project and if the final costs are less, the property owners will be assessed 50% of the actual costs. Following discussion, Commissioner Robbins moved to approve the engineer's estimate with labor included in an amount of \$11,027.52 with the City's participation at 50% of the actual final costs. Commissioner Hattan seconded. Motion carried unanimously.

DEVELOPMENT AGREEMENT ACCEPTED

BELOIT READY MIX, INC.

City Attorney Retter submitted to the Commission a Development Agreement signed by the following property owners involved with the construction of 400 feet of water line located north of Highway No. 9 east of Hood Construction: John & Joyce Hood, husband and wife; Blaine Engelbert, President of Beloit Ready Mix, Inc.; and Daniel and Cindy Koch, husband and wife.

This Development Agreement establishes that the City shall participate at 50% of the construction costs which shall not exceed \$10,240.67 or \$5,120.33 each.

Following discussion, Commissioner Hattan moved to approve the Development Agreement between the City and Beloit Ready Mix, Inc. Commissioner Bombardier seconded. Motion carried unanimously.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Hattan 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 15 minutes. Commissioner Robbins seconded. Time: 4:20 p.m.

The City Commission re-convened at 4:35 p.m.

Commissioner Hattan moved that this meeting be recessed for an additional 5 minutes to discuss non-elected personnel matters. Commissioner Bombardier seconded. Time: 4:35 p.m.

The Commission reconvened at 4:40 p.m.

ELECTION RESULTS

PLACED ON FILE

City Clerk Ferguson presented the report from Cloud County Clerk and Election Officer Betty Musick certifying the results of the City General Election for the City of Concordia held on April 5, 1994, to be as follows:

FOR CITY COMMISSIONERS

| | |
|---------------------------|-------|
| Larry Letourneau | 2,187 |
| Eldon Wisdom | 24 |
| Armand Racette (write-in) | 5 |

.....along with several other write-in votes receiving 2 each and 1 each.

Following the reading of the election results from the County Clerk, Mayor Robbins declared Larry Letourneau to be elected to the Office of City Commissioner for a 3 year term.

OATH OF OFFICE

City Ordinance prescribes that elected officials take the Oath of Office before entering into the duties of their office. City Clerk Verna Ferguson administered the Oath of Office to Commissioner Larry Letourneau for a three year term.

Commissioner Bombardier asked to address the Commission and visitors before stepping down. He thanked the other Commission members, those present and those he had served with before including D.L. Layton, Lee Gale and Bill Kline. He also thanked city staff persons he had worked with over the years. He received a standing ovation.

ANNUAL COMMISSION REORGANIZATION

SELECTION OF MAYOR

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

APPOINTMENTS TO LIBRARY BOARD

MRS. JAN ENGLE
MR. JAMES WINTER

The Library Board submitted the names of Mrs. Jan Engle and Mr. Jim Winter to 4 year appointments to the Library Board. Following discussion, Commissioner Hattan moved to approve the appointments. Commissioner Robbins seconded. Motion carried.

BID AWARD - PROJECT SS-94-3 (VIADUCT SANITARY SEWER RELOCATION)

DEROWITSCH CONSTRUCTION

Director of Utilities Clay Randel presented the Commission with a bid received on April 18, 1994 for the relocation of sanitary sewer lines connected with the viaduct construction scheduled for the summer of 1994. Derowitsch Construction of Belleville, Kansas was the only contractor to submit a bid. Their bid was in the amount of \$15,502.55. The engineer's estimate was \$16,735.00.

Following discussion of the bid, Commissioner Robbins moved to approve the bid submitted by Derowitsch Construction in the amount of \$15,502.55. Commissioner Hattan seconded. Motion carried.

PUBLIC COMMENTS

ARMAND NAILLIEUX

Armand Naillieux asked the Commission about a compost site on property owned by the City that Mr. Naillieux is presently farming. He wanted to know if there was any other site being considered.

Tom Fisher said that he had looked at other sites and this was the best site.

Mr. Naillieux said he called the Kansas Department of Health and Environment and advised them about the flooding problems there and that this site was located in a flood plain. He said the City needs to make a proposal to KDHE and the County Commission would have to approve the site as well and further, the City would need to get a permit from KDHE. He said the person he talked to at the KDHE office informed him that the City would not be approved for this site because it is in the flood plain.

Commissioner Robbins said the City would look into the problem.

Mr. Naillieux said he was here to bring it to the City Commissions's attention.

City Attorney Retter advised that the City has a permit application in process and if there are problems, KDHE will be notified.

PUBLIC COMMENTS

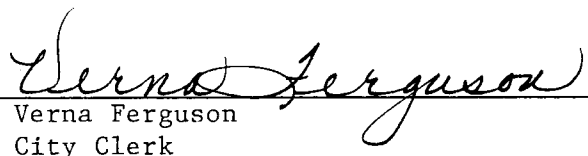
D.L. "HEAVY" LAYTON

Former City Commissioner and City Clerk D.L. "Heavy" Layton welcomed our new Commissioner Larry Letourneau and our new City Manager Chad Olsen.

ANNOUNCEMENT

Commissioner Robbins announced to everyone that a reception was going to be held immediately following the meeting to welcome Commissioner Letourneau and new Manager Chad Olsen and to thank retiring Commissioner Isadore Bombardier for his six years on the Commission.

There being no further business, Commissioner Robbins moved to adjourn the meeting until April 27, 1994, at 6:30 p.m. for a CDBG public hearing to be followed by a study session. Commissioner Hattan seconded. Motion carried.


Verna Ferguson
City Clerk

(Seal)

VF:lf

The City Commission met in adjourned session on April 27, 1994, at 6:30 o'clock p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Robbins and Letourneau present. Absent: None.

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

Visitors present: Dale Ferguson, Bonnie Aikman, Armand Balthazor, Brenda Sedlacek, Clay A. Randel, Renda Hatesohl, Kirk G. Lowell, Jack Graves and Eldon Wisdom.

PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT

HELD

At this time Mayor Hattan announced a public hearing to invite persons from the community to offer suggestions on projects for submission for Community Development Block Grant Funds.

Brenda Sedlacek has prepared information for improvements to sanitary sewer lines located in northeast Concordia. She said based on last summer's problems when the sanitary sewer lines collapsed and required dewatering, we might have a better chance of qualifying for the funds.

No other person was present to offer another project.

Commissioner Robbins moved to close the hearing. Commissioner Letourneau seconded. Motion carried.

AUTHORIZATION TO SUBMIT THE SANITARY SEWER PROJECTS FOR CDBG FUNDS

GIVEN

Following discussion on the projects to be submitted for CDBG funds, Commissioner Hattan moved to authorize City Staff to submit an application for improvements to the sanitary sewer system in northeast Concordia. Commissioner Robbins seconded. Motion carried.

PETITION - BELOIT READY MIX - WL-94-1

ACCEPTED

Kirk Lowell, Director of CloudCorp, presented a petition for the water line improvement to service Beloit Ready Mix, Daniel & Cindy Koch's Excavation and Hood Construction north of East 6th Trafficway. Mr. Lowell advised the petition was 100% sufficient and the plan was for the property owners to do much of the work themselves. Following the presentation of the petition, Commissioner Hattan moved to accept the petition. Commissioner Robbins seconded. Motion carried.

RESOLUTION NO. 1134 (BELOIT READY MIX - WL-94-1)

PASSED

City Manager Olsen presented a resolution authorizing the construction of a water line to the Beloit Ready Mix site on East 6th Trafficway. The Development Agreement and petition have been submitted and approved by the Commission. The estimated and probable cost will be \$10,240.67 with 50% of the project assessed to the benefit district.

Following discussion, Commissioner Robbins moved to approve Resolution No. 1134. Commissioner Letourneau seconded. Motion carried.

TIME CHANGE FOR MEETINGS DISCUSSED

Commissioner Hattan suggested that with additional activities during the summer, he would like to try to move the 6:30 meetings back to 4:00 p.m. during the summer. During the discussion, Commissioner Robbins noted that he was working ten hour days. Commissioner Letourneau said he could see no reason in asking city employees to stay until 6:30. There was no decision on the time change.

PUBLIC COMMENTS

Armand Balthazor questioned a bill on the Appropriation Ordinance for "Laundry".

Renda Hatesohl asked about where the City was on the compost pile. Mrs. Hatesohl wondered why the City was thinking of putting a compost pile in the flood zone.

Commissioner Hattan said the City is looking at other sites as well to determine which one would be best. Mrs. Hatesohl commented on a letter the City had sent to Mr. Naillieux. Commissioner Hattan said that was a courtesy to Mr. Naillieux since he farmed the ground to let him know the City was considering that property for the compost site. Commissioner Robbins said the property was close to the City Shop and close to the machinery that would be needed to work and turn it.

Mrs. Hatesohl wanted to know who was going to pay for maintaining the road out there. She said that she and her neighbors had been paying for gravel and mudballs for the road, but they were continuously being graded off into the ditches.

Following discussion, Commissioner Hattan listed out the following considerations:

- 1) We own the ground
- 2) We're close to the property with our equipment
- 3) Easy Maintenance
- 4) We have 2 alternate sites, but we don't own the ground

Commissioner Hattan thanked her for coming and for expressing her opinion.

Eldon Wisdom asked about how much of an area was going to be needed.

Commissioner Hattan said he wasn't sure.

Eldon Wisdom asked about the extra ground around the sewer plant.

Commissioner Hattan expressed concern with security...also in the flood plain, animal shelter is located there.

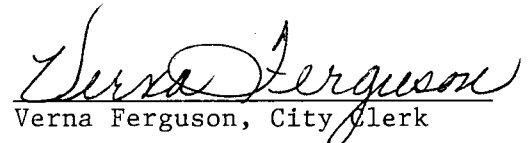
Commissioner Hattan requested information on the following items:

- a) T-Hangar project. City Manager provided the information that concrete is removed, sub-contractor is repairing trencher.
- b) Police Chief Status. Chad advised that the City would be re-advertising.
- c) Jamestown 911 system.
- d) EDA Grant. Asked if the City could expand the grant to include Metro Trailer Court, F & A Storage area, Niagara Ditch in connection with school building.
- e) Status of Duclos Grant request for police video camera.
- f) Railroad Crossing Guards.
- g) Landfill refunds.
- h) Airport Master Plan.
- i) Brown-Grand Sidewalk project.
- j) Sports Complex - is it ready?

Commissioner Robbins asked about moving the rodeo grounds. City Manager Olsen advised that city staff had a meeting with School District representatives and City Attorney.

Commissioner Hattan asked about viaduct construction and who was the contractor. Clay Randel said that Eby Construction of Wichita was low bidder. He said that the State will overlay Broadway. Tom will check on who is going to maintain Broadway.

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


Verna Ferguson, City Clerk

(Seal)

VF:db

The City Commission met in regular session on May 4, 1994, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioner Robbins present. Absent: Commissioner Letourneau.

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

Visitors present: Brad Lowell from The Blade-Empire, Joe Jindra from KNCK-KCKS, Marsha Chicules, Jeff Raberding, Judith A. McKee, Shirley Moynihan, Nadyne M. Castonguay, Marie Higgins, Loren Miller, Jim Wilson, Karen Dunlap, Nancy Champlin, Margaret Hattan, Tom Fisher, Jaci Whelchel, Kathy Tatro, Charles Young, Lori Lowell, Joni Bergstrom, Clay A. Randel, Connie Bonebrake, Alice McGaughey, Kay Predmore, Brenda Sedlacek, Jack Graves, Armand Balthazor, Warren Ostrom and Eldon Wisdom.

Minutes of the April 20, 1994 and April 27, 1994 meetings were approved as written.

APPROPRIATION ORDINANCE NO. 8

APPROVED

Appropriation Ordinance No. 8 was approved according to law.

FOOD BANK CHALLENGE

KAREN DUNLAP

Karen Dunlap was present to solicit donations for the Food Bank for the month of May. She issued a challenge to the City for numbers of items. She requested peanut butter and jelly but would accept other canned goods. The City accepted the challenge.

RECOGNITION FOR WASTEWATER TREATMENT FACILITY AWARD

Director of Utilities Clay Randel was present to advise the Commission of the award recently given to the Wastewater Treatment Facility here in Concordia. The City received first place for a city of our size in the state. Mr. Randel, in a written document said "I would like this to be brought to the attention of the City Commission. I feel that Bud Young, Jim Wilson and Loren Miller are to be commended for their extra efforts and attention to detail in the daily operation..... Concordia is fortunate to have staff that exhibit the genuine concern for our Facility and for our environment as these individuals do".

Following discussion, Mayor Hattan and Commissioner Robbins thanked the personnel of the Wastewater Treatment Facility.

PROCLAMATION

NURSES WEEK

The Mayor proclaimed the week of May 6-13, 1994 as National Nurses Week.

PROCLAMATION

NATIONAL VOLUNTEER WEEK

The Mayor proclaimed the week of May 8-14, 1994 as National Volunteer Week.

PROCLAMATION

MENTAL HEALTH MONTH

The Mayor proclaimed May as Mental Health Month.

RESOLUTION NO. 1135 (EDA FLOOD GRANT)

Brenda Sedlacek presented RESolution No. 1135 to the Commission. This resolution authorizes the Mayor and City Clerk to sign documents relating to the EDA Flood Grant. Following discussion, Commissioner Hattan moved to authorize the mayor and city clerk to sign the documents. Commissioner Robbins seconded. Motion carried.

PETITION FOR ST-94-OLIVE

ACCEPTED

City Clerk Ferguson presented a petition that had been circulated by Steve Nelson for the improvement of Olive Street from 5th Street north to the railroad tracks. The petition is 72.00% sufficient. The railroad had been contacted but had declined to sign the petition. Following discussion, Commissioner Hattan moved to accept the petition. Commissioner Robbins seconded. Motion carried.

RESOLUTION NO. 1136 (ST-94-OLIVE)

APPROVED

City Manager Olsen presented a resolution authorizing the improvement of Olive Street from 5th Street north to the railroad. The petition has been circulated and found to be sufficient. The estimated and probable cost will be \$4,590.00 with 100% of the cost to be assessed against the benefit district.

Following discussion, Commissioner Robbins moved to approve Resolution No. 1136. Commissioner Hattan seconded. Motion carried.

CONCERNED CITIZENS NEWSLETTER

Mayor Hattan addressed several areas of concern that had been written in the Concerned Citizens Newsletter. Areas were:

- 1) Compost Pile
- 2) Operation of the Pool - Admission fees, Closing early when school starts
- 3) Meeting times for Commission meetings
- 4) EDA Grant
- 5) Hiring of Public Officials
- 6) Rodeo Ground
- 7) Executive Sessions
- 8) City Employee Salaries
- 9) Cloud street, 9th Street, 11th Street, Niagara Street Ditch.

Mayor's Quote " A lie can get half way around the world before the truth can get its shoes on".

RESOLUTION NO. 1137 (GAAP WAIVER)

PASSED

City Manager Olsen presented Resolution No. 1137 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 Robbins moved, seconded by Commissioner Hattan and duly carried that Resolution No. 1137 authorizing the extension waiver of requirements of law relating to (GAAP) be approved.

COMMISSION INTO EXECUTIVE SESSION

Commissioner Hattan moved that this meeting be recessed into closed executive session to discuss land acquisition and the City Commission would resume its meeting in 15 minutes. Commissioner Robbins seconded. Time: 4:40 p.m.

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

Commissioner Hattan moved that this meeting be recessed for an additional 10 minutes to continue discussion on land acquisition. Commissioner Robbins seconded. Time: 4:55 p.m.

The City Commission reconvened at 5:05 p.m.

PUBLIC COMMENTS


Armand Baltahzor wanted to know if the Concerned Citizens hadn't asked for the salary information, would the Commission have known...?

Armand wanted to know if the City Manager position could have been filled by local people. Commissioner Robbins stated that he wished the Commission could have filled the position from local people.

Warren Ostrom asked about what he was supposed to do with grass clippings.

Commissioner Hattan advised that the City has every intention of getting our own compost pile. Right now we don't have a satisfactory site. Preferable to get a site west or north of town. We need to have an area that has a surfaced road, the wind is a factor. We may have to advertise to purchase ground because we need 2 or 3 acres. We've also thought about hiring someone to haul ..grass clippings. We may have to have a pickup service if we are unable to find a site. The Commission is looking into several options.

There being no further business, Commissioner Hattan moved to adjourn the meeting until 6:30 p.m. on May 11, 1994. Commissioner Robbins seconded. Motion carried.


Verna Ferguson
City Clerk

(Seal)

The City Commission met in adjourned session on May 11, 1994, at 6:30 p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Robbins and Letourneau present. Absent: None.

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

Visitors present: Bobbie Vignery, Gabe Strait, Joe Strecker, Armand Balthazor, Judith A. McKee, Brenda Sedlacek, Tom Fisher, Renda Hatesohl, Eldon Wisdom, Bob Bronikowsky and Clay A. Randel.

CONCESSION STAND LEASE

JEFF & JANEL NORRIS

The City Manager presented the 1994 Concession Stand Lease located at the Municipal Swimming Pool to the Commission. Only one bid was received. Jeff and Janel Norris submitted a bid in the amount of \$355.00 to operate the concession stand for the 1994 season. Following a brief discussion, Commissioner Hattan moved to accept the lease. Commissioner Robbins seconded. Motion carried.

DONATION TO TREE FUND

JOE STRECKER

Joe Strecker representing his business ECO Water of North Central Kansas presented a check in the amount of \$150.00 for the City's tree fund. He said this check was given in appreciation to Judith McKee and the Public Grounds crew for their help with the picnic tables on the day of his open house.

COMMISSION INTO EXECUTIVE SESSION

At this time Commissioner Hattan moved that the Commission recess in to executive session for 20 minutes to discuss land acquisition. Commissioner Robbins seconded. Motion carried. Time 6:30 p.m.


The Commission reconvened at 6:50 p.m.

Commissioner Hattan moved to recess for an additional 15 minutes to continue the discussion on land acquisition. Commissioner Robbins seconded. Time: 6:50 p.m.

The Commission reconvened at 7:00 p.m.

Commissioner Hattan announced the Commission had been discussing a compost site. No decision was made.

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


Verna Ferguson, City Clerk

VF:db

(Seal)

The City Commission met in regular session on May 18, 1994, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioner Letourneau present. Absent: Commissioner Robbins.

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

Visitors present: Richard Smith from The Blade-Empire, Joe Jindra from KNCK/KCKS, John Bray, Ramona Derosseau, Anthony Gonzales, Armand Balthazor and Judith A. McKee.

Minutes of the May 4, 1994 regular meeting and May 11, 1994, adjourned meeting were approved as written.

APPROPRIATION ORDINANCE NO. 9

APPROVED

Appropriation Ordinance No. 9 was approved according to law.

WAIVER OF FOREIGN RESIDENCE REQUIREMENTS REQUESTED

RAMONA DEROUSSEAU

County Health Nurse Ramona Derosseau requested the City Commission authorize the Mayor to sign a letter requesting a waiver of foreign residence requirements for two physicians that have been requested to serve this community. Commissioner Letourneau moved to have the mayor sign the waiver. Commissioner Hattan seconded. Motion carried.

ORDINANCE NO. 2603 (TAX ABATEMENT FOR SCOTT SPECIALTIES)

PASSED

An ordinance entitled "AN ORDINANCE CONTINUING THE EXEMPTION OF CERTAIN PROPERTY FROM AD VALOREM TAXATION FOR ECONOMIC DEVELOPMENT PURPOSES" was read and considered by the Commission. On a roll call vote, the following commissioners voted "Yea": Hattan and Letourneau. With two-thirds of the members-elect of the Commission having voted in favor thereof, the ordinance was passed and the city clerk assigned to it No. 2603.

COMPOSTING DISCUSSION

City Manager Olsen advised that city staff had contacted three private trash haulers to identify services that are currently being provided concerning yard waste.

- 1) Hale's - Do pick up yard debris as a special service to their customers through special trips. Hale's do not charge an extra fee for this service.
- 2) Brown's - Do pick up yard debris as a special service to anyone who calls for the pick-up. The fee is \$5.00 per trip and \$1.00 per bag.
- 3) Durflinger's - Is not picking up yard debris at this time but is considering a container system to attach to their trucks. A final decision has not been made.

Mr. Olsen is asking for direction from the City Commission. Does Commission want the City to provide composting?

Commisisoner Hattan wanted to know what the costs of the containers for Durflinger would cost. Judith McKee advised she would find out.

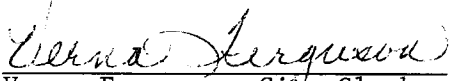
Commissioner Lethourneau said he felt that since we are served by three private haulers, the City would be in competition with private business. He thought that the citizens could be made aware of how they could establish a compost pile in their own yards. That basically this is a recycling situation.

Commissioner Hattan suggested 3 options.

- 1) Put out public information.
- 2) Find out what the cost of the container system is.
- 3) Is County going to subsidize recyling?

He said all options are superior to establishing a city-owned compost site.

There being no further business, Commissioner Hattan moved to adjourn the meeting to May 25, 1994, at 6:30 p.m. Commissioner Letourneau seconded. Motion carried.


Verna Ferguson, City Clerk

(Seal)

VF:db

The City Commission met in adjourned session on May 25, 1994, at 6:30 p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioner Letourneau present. Absent: Commissioner Robbins.

Other officers present: City Manager Chad Olsen, City Attorney David Retter

Visitors present: Brenda Sedlacek, Judith McKee, Jack Graves and Kirk Lowell.

PROCLAMATION BUDDY POPPY DAY

AMERICAN LEGION

Mayor Hattan signed the Buddy Poppy Proclamation declaring May 28th, 1994 as Buddy Poppy Day.

PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT

2ND HEARING HELD

At this time Mayor Hattan announced that the 2nd public hearing would be held.

No other person was present to offer any objections.

Mayor Hattan moved to close the hearing. Commissioner Letourneau seconded. With two-thirds of the members-elect of the Commission having voted in favor thereof, the motion carried.

RESOLUTION NO. 1138

APPROVED

Mayor Hattan made a motion to pass Resolution No. 1138 authorizing the submission of CDBG application. Commissioner Letourneau seconded. With two-thirds of the members-elect of the Commission having voted in favor thereof, the motion carried.

RESOLUTION NO. 1139

APPROVED

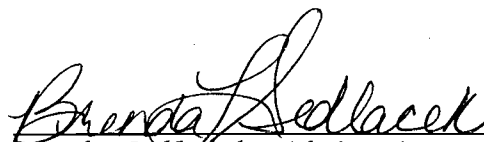
Mayor Hattan moved to approve Resolution No. 1139, a Resolution of Residential AntiDisplacement and Relocation Assistance Plan. Commissioner Letourneau seconded the motion. With two-thirds of the members-elect of the Commission having voted in favor thereof, the motion carried.

INFORMATION UPDATE

JUDITH MCKEE

Judith McKee updated the Commission on recent composting developments, the status of the T-Hangar project, the South entrance sign, the swimming pool and the basketball court.

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


Brenda Sedlacek, Admin. Asst.
Acting Secretary

(Seal)

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

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

Visitors present: Brad Lowell from The Blade-Empire, Joe Jindra from KNCK/KCKS, Armand Balthazor, Tom Fisher, David Vignery, Jack Graves, Brenda Sedlacek, Kirk G. Lowell and Eldon Wisdom.

Minutes of the May 18, 1994 and May 25, 1994 meetings were approved as written.

APPROPRIATION ORDINANCE NO. 10

APPROVED

Appropriation Ordinance No. 10 was approved according to law.

ORDINANCE NO. 2604 (VACATION OF ALLEYS IN UDELL'S ADDITION)

PASSED

An ordinance entitled "AN ORDINANCE PURSUANT TO K.S.A. 14-423, ET SEQ., AS AMENDED, VACATING THE PLATTED ALLEYS IN BLOCK G AND H, UDELL'S ADDITION; AND THE PORTION OF TENTH STREET BETWEEN BLOCKS G AND H, UDELL'S ADDITION DESCRIBED BELOW, ALL IN THE CITY OF CONCORDIA, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF" was read and considered by the Commission. On a roll call vote of the Commission, the following commissioners voted "Yea": Hattan, Robbins and Letourneau. "Nay": None. Following passage of the ordinance, the City Clerk assigned to it No. 2604.

LICENSE - PAWNBROKER'S/PRECIOUS METALS DEALERS LICENSE

MICHAEL C. PATTERSON

The city manager presented an application from Michael C. Patterson for a license to operate as a Pawnbroker's and/or Precious Metals dealer. All the requirements had been met for approval of the license. Following discussion, Commissioner Hattan moved to approve the license application. Commissioner Letourneau seconded. Motion carried unanimously.

BID AWARD - BROWN GRAND SIDEWALK PROJECT BG-94-SW

RONALD SOLT

City Manager Olsen presented a staff recommendation for the Brown Grand sidewalk project in the amount of \$5,187.75. The only bid received to do the project was from Ronald Solt in the amount of \$4,492.00 with engineering to be \$695.75. Following discussion, Commissioner Hattan moved to approve the bid submitted by Ronald Solt. Commissioner Letourneau seconded. Motion carried.

SIGNATURES FOR EDA GRANT SUBMISSION

AUTHORIZED

Administrative Assistant Brenda Sedlacek presented additional grant application documents to complete the EDA (Flood) Grant application. The estimated cost of the project is \$487,000 with the City's and County's combined share of the project being \$121,750. If the state approves the grant, the entire project will be funded without the use of any local funds.

Following discussion, Commissioner Letourneau moved to authorize the Mayor to sign the documents. Commissioner Robbins seconded. Motion carried.

MAYOR HATTAN REPORT

Mayor Hattan announced that in an effort to maintain goals to provide better communications between the Commission and the Community, he offered the following information:

A recent study of 20 Kansas communities who have city wide sales tax shows that Concordia has the second highest percent increase in sales tax collections between 1938 and 1993. Concordia sales tax collections have grown 36.5% during that time. In another comparison of the 20 Kansas communities shows that Concordia ranks 6th in per capita retail sales. Based on Concordia's estimated population of 6,080 per capita retail sales in the community between July 1992 and June 1993 indicate per capita retail sales of \$411,487. Lenexa tops the per capita sales chart with \$20,846. These figures were compiled by the Kansas Department of Revenue.

In addition to the statistical information above, Mr. Hattan said that construction activities planned to begin in the community and surrounding area this year should increase retail sales even more. The following new construction projects and estimated costs of each were presented by Mr. Hattan:

Resurfacing U.S. 81 Highway from Concordia north to Belleville, \$1.6 million
Catholic Parish Hall, \$750,000
Viaduct Construction, \$5.8 million
New Elementary School construction, \$5.25 million
The EDA Flood Project in Industrial Park area, \$487,000

In addition, 18 different companies have indicated to the city they are considering plans to expand or locate a new business or industry in Concordia. Ten of those companies are not presently doing business in Concordia. One company is Farmway Co-op from Beloit who plans to build a credit card gas service station and car wash at an approximate cost of \$300,000 - \$400,000.

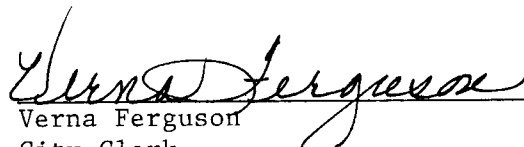
COMMISSION INTO EXECUTIVE SESSION

At this time Commissioner Letourneau moved that the Commission recess into executive session for 20 minutes to discuss land acquisition. Commissioner Hattan seconded. Motion carried. Time: 4:20 p.m.

The Commission reconvened at 4:40 p.m.

Commissioner Hattan announced the Commission had been discussing land acquisition but that no official action would be taken at this time.

There being no further business, Commissioner Hattan moved to adjourn the meeting until 6:30 p.m. on June 15, 1994. Commissioner Letourneau seconded. Motion carried.


Verna Ferguson
City Clerk

(Seal)

VF:lf

MINUTES OF THE ADJOURNED COMMISSION MEETING HELD JUNE 8, 1994

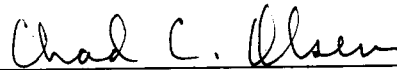
The City Commission met in adjourned session on June 8, 1994 at 6:30 o'clock p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Robbins and Letourneau present. Absent: None.

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

Visitors present: Judith A. McKee, Armand Balthazor and David Swenson.

There was no business brought before the Commission.

With no official action required, the meeting was adjourned.



Chad C. Olsen
City Manager

(Seal)

MINUTES OF THE CITY COMMISSION MEETING HELD JUNE 15, 1994.

The City Commission met in regular session at 4:00 o'clock p.m. on June 15, 1994, in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Robbins and Letourneau present. Absent: None.

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

Visitors present: Joe Jindra from KNCK/KCKS, Richard Smith from The Blade-Empire, Beldon Blosser, David Swenson, Armand Balthazor, Loren E. Miller, Brenda Sedlacek and Clay A. Randel.

Minutes of the June 1, 1994 and June 8, 1994 meetings were approved as written.

APPROPRIATION ORDINANCE NO. 11

APPROVED

Appropriation Ordinance No. 11 was approved according to law.

COUNTRY CLUB OPEN PLAY REQUEST

APPROVED

City Manager Olsen said that he had received a request from Jay Lowell, president of the Country Club Board, to continue the credit on their water billings and in return would open the golf course to the public one day a week. The credit cost for FY 1993 was \$624.45. The credit amount is 15%. The public would be required to pay green fees.

Following discussion, Commissioner Letourneau moved to approve the continuation of the policy giving the 15% credit on the water bill. Commissioner Robbins seconded. Motion carried.

DEMOLITION PERMIT - JAMES CHAMBERS

TIME EXPIRED

City Attorney Retter explained that Mr. James Chambers had been given a demolition permit but that the time had expired on December 27, 1993. Mr. Chambers has indicated he doesn't plan to do anything more. Mr. Retter said the City could institute a dangerous structure procedure and that we had some options. One would be to obtain an estimate from a contractor or we can file a lawsuit in District Court directing the property owner to comply with the demolition. As City Attorney, he could ask for a summary judgement. He said it is a trade-off in costs to the City 1) We go forward and pay the contractor or 2) we go forward and pay attorney fees.

Commissioner Hattan noted it was pretty obvious the property owner wasn't going to do anything.

Commissioner Letourneau wanted to know what the City's chances were in recouping our costs.

City Attorney Retter said that in the event of a tax foreclosure sale, a prorated share might be realized.

Commissioner Robbins noted he felt the City had waited long enough and wanted to know what the City's liability was. Mr. Retter said that since the property owner had been put on notice, this actually put the City at some risk of liability because we are aware of the problem.

Commissioner Hattan said that to go to District Court is going to cost approximately \$1,200 and if we use the dangerous structure process, we hire a contractor and wait for 60 days. He asked Brenda Sedlacek what the time frame was for a dangerous structure process. She said two months. He asked Mr. Retter what the time frame was for District Court. Mr. Retter said it would be anywhere from 60 to 75 days.

Following discussion, Commissioner Hattan moved to go forward with the Unsafe Structure Procedure. Commissioner Robbins seconded. Motion carried.

ORDINANCE REGULATING PUBLIC EASEMENTS/RIGHT-OF-WAY

NO DECISION

Mr. Retter explained that the ordinance he presented today was intended to regulate the use of public streets. The problem is people are using platted streets and alleys for landscaping, etc. This ordinance would prohibit persons from placing any improvements on platted public rights-of-way. A license agreement can be used to allow improvements, but the property owner assumes a risk by making the improvements.

Following discussion, Commissioner Hattan moved to take no action on the proposed ordinance. Commissioner Letourneau seconded. Motion carried.

LICENSE AGREEMENT FOR USE OF PUBLIC EASEMENTS/RIGHTS-OF-WAY

APPROVED WITH
AMENDMENTS - BLOSSER

City Attorney Retter presented a License Agreement granting Blosser's a license to occupy and use the surface of portions of platted 19th, 20th, Kansas and Olive Streets as described in the license agreement. The license agreement is for use of this public right-of-way for a maximum term of ten years with the City reserving the right to terminate the agreement with a 30 days notice. He noted that a person builds on this public right-of-way at their own risk.

Commissioner Robbins had a problem with the language "at will with or without cause". He suggested the words "with or without cause" be omitted. Commissioner Hattan also suggested that Section 8 of the License Agreement be added to the ordinance.

Following discussion, Commissioner Hattan moved to approve the License Agreement with the suggested amendments. Commissioner Letourneau seconded. Motion carried.

DISCUSSION OF TRUCK ROUTE ORDINANCE

NO ACTION TAKEN

City Attorney Retter presented an ordinance regulating heavy truck traffic on 5th Street.

Following discussion about the ordinance, the Commission took no action and requested that the City Manager and City Attorney come back to them with more options.

RECOGNITION OF LOREN MILLER'S WASTEWATER CERTIFICATION

Director of Utilities Clay Randel was present to ask the Commission to recognize Loren Miller for his completion of the Class II Wastewater Treatment certification. The Commissioners congratulated Mr. Miller on his accomplishment.

COMMISSION INTO EXECUTIVE SESSION

At this time Commissioner Hattan moved that the Commission recess into executive session for 15 minutes to discuss land acquisition. Commissioner Robbins seconded. Motion carried. Time: 4:55 p.m.

The Commission reconvened at 5:10 p.m.

Commissioner Hattan announced the Commission had been discussing land acquisition but that no official action would be taken at this time.

COMMISSIONER LETOURNEAU

Commissioner Letourneau advised that he had received a letter from a resident who lives along Hill Street with a problem with speeding along the street.

Commissioner Robbins commented on the Hill Street problem. He said that last year the residents along Hill Street had the opportunity of improving Hill Street with Rolling Hills residents participation. The cost at that time would have been approximately the cost of a new driveway, but the petition that was circulated did not have enough signatures.

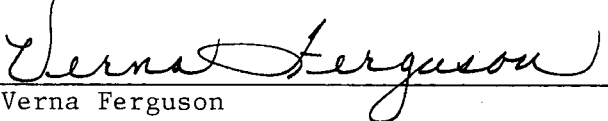
Commissioner Letourneau asked if a "dead-end" sign might be put up there.

Commissioner Hattan asked that the problem be brought up at a Department Head meeting.

COMMISSIONER ROBBINS COMMENTS

Commissioner Robbins advised that he had attended the most recent Concerned Citizens meeting that said the organization had given the city manager a pat on the back. He said it was a good meeting and he was proud of them.

There being no further business, Commissioner Hattan moved to adjourn the meeting and announced that the next Study Session would be 6:30 p.m. on June 22, 1994. Commissioner Robbins 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 July 6, 1994 in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Robbins and Letourneau present. Absent: None.

Other officers present: City Manager Olsen, Deputy City Clerk Deneault and City Attorney Larry Vernon.

Visitors: Joe Jindra from KNCK/KCKS, Richard Smith from the Blade-Empire, Judith McKee, Tom Fisher, Armond Balthazor, Brenda Sedlacek, Robert Steimel and Ward Morgan with Kennedy and Coe.

Minutes of the June 15, 1994 meeting was approved as written.

APPROPRIATION ORDINANCE NO. 12

APPROVED

Appropriation Ordinance No. 12 was approved according to law.

ORDINANCE #2605 (LIMITATIONS ON TRUCK TRAFFIC)

PASSED

An ordinance limiting certain truck traffic on Fifth street between Kansas Street and Archer Street; and amending the Concordia Code by adding a new section to be numbered 23-80.

"23-80. The Governing Body of the City of Concordia, Kansas has considered and deemed it advisable to limit truck traffic on the portion of Fifth Street in said City between Kansas Street and Archer Street. From and after the effective date of this ordinance, no person shall operate a truck in excess of a rated capacity of twelve (12) tons; or a truck-truck or seimtrailer load in excess of sixteen (16) tons on the portion of Fifth Street between Kansas Street and Archer Street, provided, however, that the provisions of this ordinance shall not apply between June 15 and July 15 and between September 15 and November 30 of any year."

On a roll call of the Commission, the following commissioners voted "yea": Robbins, Hattan and Letourneau. "Nay": None. Following passage of the ordinance, the Deputy City Clerk assigned to it No. 2605.

RESOLUTION NO. 1140 UNSAFE AND DANGEROUS STRUCTURE

APPROVED

A resolution by the governing body of the City of Concordia pursuant to Kansas laws and City Codes has been filed that the following structure is unsafe and/or dangerous. The owners James L. and Hazel M. Chambers are the owners of the partially demolished stone foundation, footings, stairs and unfilled and uncovered basement located at 201 E. 7th Street. Hearing on this structure will be held on the 17th day of August, 1994 at 4:00 o'clock P.M. Commissioner Hattan moved to approve this Resolution, seconded by Commissioner Letourneau. Motion carried.

PROFESSIONAL SERVICES AGREEMENT

APPROVED

City Manager Chad Olsen discussed his recommendations to the City Commission to approve a professional services agreement with Kennedy and Coe to perform a computer needs assessment for the City. The goal of the assessment would be to update the City's computer inventory, establish uniform software, make hardware improvements, analyze the desirability of a networking system and develop an on-going training program. Ward Morgan a consultant with Kennedy & Coe was present to answer any questions the commission had concerning this agreement. After discussion Commissioner Robbins moved to approve the hiring of Kennedy & Coe. Mayor Hattan seconded the motion, motion carried.

FEASIBILITY STUDY OF STORMWATER DRAINAGE

TABLED

Scheduled for discussion, City Manager Olsen presented to the Commissioners his recommendation for a professional agreement with Campbell and Johnson for a Feasibility Study for the drainage problem occurring between Olive and US 81 and 16th & 18th Streets. Mayor Hattan stated he was aware of the on-going drainage problem but at this time there was no money in the budget for this project. At the present time the City is waiting on the outcome of the EDA Grant the City had applied for. If the City is awarded this grant there would be a Feasibility Study done and the City could utilize alot of the information from this study, saving the City time and money. Commission Robbins asked if the City would be liable for any damages that occurred from drainage problems. City Manager Olsen said that he didn't think

the city would be liable since it was an act of God and the problem has been on-going for many years.

Commissioner Letourneau moved that no action be taken on a feasibility study at this time. Mayor Hattan seconded. Motion carried.

REAPPOINTMENT TO AIRPORT ADVISORY BOARD

KIRK LOWELL

City Manager Olsen advised the commissioners that Kirk Lowell has agreed to serve on the Airport Advisory Board for additional four year term with that term to expire in July of 1998. Mayor Hattan asked how often the Airport Advisory Board met. Judith McKee, Director of Public Grounds stated that currently they are meeting quarterly unless they have an on-going project then they meet more often. Greg said he would like to see them meet on a more regular basis. Commissioner Letourneau moved that Kirk Lowell be reappointed to another four year term as Airport Advisor. Seconded by Mayor Hattan. Motion carried.

MANAGER'S REPORT

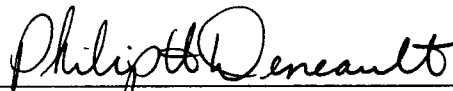
City Manager Olsen updated the Commissioners on the status of the T-hangars. Mayor Hattan inquired as to when the hangars would be done. The City was not looking at filing for another extension on the grant and therefore the T-hangars would be done by the Grant deadline, the middle of August. At the next Study Session City Manager Olsen stated that they would be discussing more about the T-hanger project. Also at the next Study Session there would be some discussion on some alternatives for the new basketball court at the City Park and discussion on the City's Dangerous Structure Inventory.

Mayor Hattan asked about the progress on the relocation of the water line at the cemetery. Judith McKee stated that there was no money in this year's budget but they would be budgeting for this in 1995.

PUBLIC COMMENTS

Armond Balthazor was present and inquired about the City Manager's car allowance. He wanted to know if the city manager was paid \$150.00 a month or if he received \$150.00 each ordinance. City Manager Olsen stated that he was receiving \$300.00 a month, \$150.00 on each ordinance. Mr. Balthazor asked why he was receiving this car allowance because he thought the city had purchased a car for the city manager before Chad Olsen was hired. Mayor Hattan explained that the commission decided to use the car the city had purchased recently for a staff car since the car that had been used previously needed to be replaced. The employees needed a vehicle that was safe and reliable when they needed to go to meetings, schools and functions. The commission decided that it would be less expensive to pay a car allowance than to buy a car for the city manager.

There being no further business, Commissioner Hattan moved to ajourn the meeting until 6:30 p.m. on July 13th, 1994. Commissioner Letourneau seconded. Motion carried.



Philip A. Deneault
Deputy City Clerk

(Seal)

PHD:lf

The City Commission met in regular session at 4:00 o'clock p.m. on July 20, 1994, in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Robbins and Letourneau present. Absent: None.

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

Visitors present: Richard Smith from The Blade-Empire, Joe Jindra from KNCK/KCKS, "Heavy" Layton, Judith McKee, Brenda Sedlacek, Kirk G. Lowell and Armand Balthazor.

Minutes of the July 6, 1994, meeting were approved as written.

ORDINANCE NO. 13

APPROVED

Appropriation Ordinance No. 13 was approved according to law.

ORDINANCE NO. 2606 (VACATION OF CLOUD STREET)

PASSED

City Attorney Retter explained that this ordinance had been prepared to vacate Cloud Street from 9th to 11th Streets to become effective September 15, 1994. This begins the process for USD 333 to build the new school. The vacation is subject to a 30 day protest period.

City Manager Olsen, in a reply to improvements of the Niagara Street Ditch as an access road, said that no plans were in place to improve the Niagara Street Ditch as an access road.

Following discussion, the following ordinance was presented.

An ordinance entitled "AN ORDINANCE PURSUANT TO K.S.A. 14-423, ET SEQ., AS AMENDED, VACATING A PORTION OF CLOUD STREET BETWEEN THE NORTH BOUNDARY OF 11TH STREET AND THE SOUTHERN BOUNDARY OF THE INTERSECTION OF 9TH STREET AND CLOUD STREET, ALL IN THE CITY OF CONCORDIA, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF" was read and considered by the Commission. On a roll call vote the following commissioners voted "Yea": Hattan, Robbins and Letourneau. "Nay": None. Motion carried. The City Clerk assigned to it No. 2606.

REVOLVING LOAN FUND DISCUSSION

Mayor Hattan asked for an update on the Revolving Loan Fund. Kirk Lowell, Director of CloudCorp, said they currently have 3 applications totaling from \$145,000 to \$150,000 in progress. One is completed with the other two to be completed shortly. He said August 15, 1994, is the deadline the State has given us and he felt the State was watching this situation very closely. He felt that all 3 applications would be ready to present to the City Commission at their August 3rd meeting. Kirk said the applications represent the following - 1) Manufacturing, 2) Retail Business and 3) Service.

Following his discussion, he said he wanted to publicly thank Citizens National Bank for recruiting Debbie Peters. He said she has been a tremendous help with these applications.

BASKETBALL COURT FACILITY DISCUSSION

Commissioner Hattan asked City Manager Olsen for information on the basketball court. Mr. Olsen said that Staff recommends asphalt versus concrete because of the cost. He said the lighting costs would run between \$7,500 and \$11,000. It was his recommendation to go ahead and install the court with daytime use only.

Commissioner Hattan said that one basketball court isn't enough. He said that he felt the asphalt must be holding up pretty good because he had seen it used in other places. He said it was his recommendation to add another court.

Commissioner Robbins said he felt there are better places to spend that much money. He felt the money would be better spent on flooding problems.

Commissioner Letourneau said he would like to filter some of the kids from City Park over to Hood Park. Commissioner Hattan said a lot of the basketball court use occurred when families and activities were scheduled there at the shelter house.

Following discussion, Commissioner Hattan asked the City to contact Ron Elniff from the Recreation Commission for input and moved to table the discussion until the August 3rd meeting. Commissioner Letourneau seconded. Motion carried.

QUARTERLY INVESTMENT REPORT

ORDERED PLACED ON FILE

City Clerk Ferguson presented the second investment report for 1994 per Ordinance No. 1860. The interest received year-to-date was \$20,917.81. The average interest rate in 1994 for this quarter is 3.22% compared to 3.25% in 1993.

Following discussion, Commissioner Hattan moved to accept the quarterly investment reports. Commissioner Robbins seconded. Motion carried.

LIBRARY BOARD APPOINTMENT

JEAN SWIERCINSKY

The Library Board submitted a recommendation to the Commission to appoint Jean Swiercinsky to fill a position vacated by the resignation of Harriet Goff who has moved out of town. Following discussion, Commissioner Letourneau moved to approve the appointment with her term to expire April 30, 1995. Commissioner Robbins seconded. Motion carried.

MANAGER'S REPORT

FERGUSON NOTICE OF RETIREMENT

City Manager Olsen reported that Verna Ferguson had submitted her "Notice of Retirement" to become effective October 14, 1994.

COMMISSION COMMENTS

Commissioner Hattan asked about nuisance abatements that were listed in the June 24, 1994, General Information Packet. City Clerk Ferguson was requested to check into them to see if they had been completed.

City Manager Olsen reported to the Commission re: activities at the T-Hangar site.

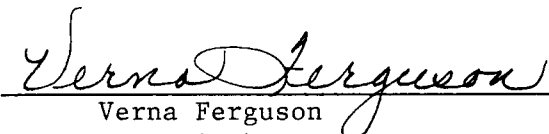
City Manager Olsen brought the Commission up to date on the computer situation.

PUBLIC COMMENTS

"Heavy" Layton advised the Commission about the KDOT meeting scheduled to be held in Belleville on July 27, 1994 between 3:30 to 7:00 p.m. Invited everyone to attend.

Armand Balthazor said if the city was going to spend \$10,000, he'd rather see the money spent on another shelter house rather than another basketball court. He said there was a good one at Hood Park to use.

There being no further business, Commissioner Hattan moved to adjourn the meeting to 6:30 p.m. on July 27, 1994. Commissioner Robbins seconded. Motion carried.


Verna Ferguson
City Clerk

(Seal)

vf

The City Commission met in adjourned session on July 27, 1994, at 6:30 o'clock p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Robbins and Letourneau present. Absent: None.

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

Visitors present: Frank A. Johnson, Lee W. Doyen, Armand Balthazor, Brenda Sedlacek, Tom Fisher, Jack Graves and Kirk G. Lowell.

BID AWARD - TWO TON TRUCK FOR STREET DEPARTMENT

BILL SUMMERS FORD/MERCURY

City Manager Olsen presented to the Commission information on a two-ton truck bid for the Street Department. Tom Fisher, Director of Streets, provided some additional information regarding the specifications. Following discussion, Commisisoner Robbins moved to accept the bid from Bill Summers Ford/Mercury in the amount of \$19,820.00 for a 1995 F-700 Ford cab and chassis. Commissioners Letourneau seconded the motion. Motion carried unanimously.

Mr. Fisher also advised the Commission that a 1980 GMC two-ton dump truck was being traded in and that the \$19,820.00 bid was with the trade-in allowance.

LICENSES - CEREAL MALT BEVERAGE (JAMMERS SPORTS PUB & GRILL)

APPROVED

Vance O. Braun submitted an application for two cereal malt beverage licenses to operate a new club "Jammers Sports Pub & Grill". One for consumption on the premises and one for package sales only. All requirements had been met for approval of the licenses. Following disucssion, Commissioner Hattan moved to approve the cereal malt beverage licenses. Commissioner Robbins seconded. Motion carried.

RESOLUTION NO. 1141 (KPERS DESIGNATED AGENT)

CHAD C. OLSEN

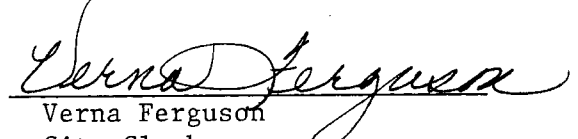
City Manager Olsen presented a resolution to the Commission requesting that a new Designated Agent be appointed. City Clerk Verna Ferguson is currently serving as Designated Agent and will be retiring in October. Following discussion, Commissioner Hattan moved to appoint City Manager Chad C. Olsen as the designated Agent for the KPERS retirement system. Commissioner Robbins seconded. The City Clerk assigned to it No. 1141.

RESOLUTION NO. 1142 (KP&F DESIGNATED AGENT)

CHAD C. OLSEN

City Manager Olsen presented a resolution to the Commission requesting that a new Designated Agent be appointed. City Clerk Verna Ferguson is currently serving as Designated Agent and will be retiring in October. Following discussion, Commissioner Hattan moved to appoint City Manager Chad C. Olsen as the Designated Agent for the KP&F Retirement System. Commissioner Robbins seconded. The City Clerk assigned to it No. 1142.

There being no further business, Commissioner Hattan moved to adjourn into Study Session immediately following. Commissioner Letourneau seconded. Motion carried.


Verna Ferguson
City Clerk

(Seal)

The City Commission met in adjourned session on August 3, 1994, at 4:00 o'clock p.m. in the City Commisison Room in the City Hall. Mayor Hattan presided with Commissioners Robbins and Letourneau present. Absent: None.

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

Visitors present: Joe Jindra from KNCK/KCKS, Armand Balthazor, Armand Racette, Sarah Holbert, Tom Fisher, Burl Maley, Brenda Sedlacek, Sam Henry, Jack Graves, Clay A. Randel, Walt Huber, Kirk Lowell, Deb Peters and Robert Steimel.

Commissioner Letourneau noted the minutes of the July 20, 1994, needed to be corrected. Armand Naillieux was shown in the "Public Comments" section and it should have been Armand Balthazor. Following this discussion, Commissioner Robbins moved the minutes from July 20, 1994 and July 27, 1994, be approved as amended. Commissioner Letourneau seconded.

APPROPRIATION ORDINANCE NO. 14

APPROVED

Appropriation Ordinance No. 14 was approved according to law.

CITY PARK BASKETBALL COURT

City Manager Olsen advised he had contacted Recreation Commission member Ron Elniff and there were no plans from that Commission to pursue an additional basketball court. Commissioner Hattan noted that from his personal observation, the money would be better spent maintaining what we have rather than constructing another basketball court.

Commissioner Letourneau said persons contacting him felt the City should be looking into a skating area an area for ice skating in winter. It was his observation that we have enough basketball courts right now in town.

Following discussion, Commissioner Hattan asked that the basketball court be removed from the City's goal list.

REVOLVING LOAN FUND APPLICATIONS APPROVED

CARES, INC.
CONN'S TV & APPLIANCE
HENRY ENTERPRISES

City Manager Olsen advised that Kirk Lowell, through CloudCorp, has helped three businesses prepare applications to the City's Revolving Loan Fund. The City has an August 15, 1994, deadline on receiving applications with submission by September 1st.

Kirk Lowell then thanked John Cyr with NCRPC for helping to prepare the applications and thanked the board members of CloudCorp for their support of these applications.

He then presented the three applications as follows:

1) Jim and Deanna Conn dba Conn's TV & Appliance.
PROJECT: Funds to purchase existing business, Culbertson's Electric. By investing in this business it will allow Jim to retain his job and provide job opportunities for others. In addition to retaining and creating jbos, Jim will be keeping another business front open in Concordia, providing service locally and to the surrounding communities.
Amount requested: \$58,750.

2) Sam Henry dba Henry Enterprises.
PROJECT: Funds to purchase computer controlled milling maching, CAD/CAM software and the retiring of 180 shares of stock by corporation. Job Creation/Retention: 4.8125 Full-time equivalent (FTE) within 18 months.
Amount requested: \$22,500.

3) Sarah Holbert dba C.A.R.E. (Non-profit corporation)
PROJECT: Start-up business providing service of educating and training people with mental or physical handicaps to become a productive part of society and to have the ability to live and maintain independently. Job Creation/Retention: 7 Full-time equivalent (FTE) within 18 months.
Amount requested: \$40,000.


Following discussion, Commissioner Letourneau moved to approve all three applications. Commissioner Robbins seconded. Motion carried unanimously.

ORDINANCE NO. 2607 (911 EMERGENCY TELEPHONE RATES)

PASSED

An ordinance entitled "AN ORDINANCE ENACTED PURSUANT TO K.S.A. 12-5901, 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 TAX RATE" was read and considered by the Commission. On roll call vote the following commissioners voted "Yea": Hattan, Robbins and Letourneau. "Nay": None. Motion carried. The City Clerk assigned to it No. 2607.

There being no further business, Commissioner Hattan announced there would be discussion of the 1995 Budget following the meeting and moved to adjourn to August 10, 1994 for the 1995 Budget Hearing. Commissioner Letourneau seconded. Motion carried.


Verna Ferguson
City Clerk

(Seal)

The City Commission met in adjourned session on August 10, 1994, at 6:30 o'clock p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Robbins and Letourneau present. Absent: None.

Other officers present: Joe Jindra from KNCK/KCKS, Brad Lowell from The Blade-Empire, Armand Balthazor, Burl Maley, Jack Graves, Walt Huber and Clay Randel.

HEARING ON 1995 CITY BUDGET

HELD

Mayor Hattan opened the 1995 Budget Hearing as required by state statute.

City Manager Olsen presented information on the 1995 Budget stating that it was 2.6 mills down from last year. He said the budget would maintain current services and personnel with no growth in property tax needs. The budget will continue the debt reduction program. He said that he has integrated goals and objectives into the budget document. The 1995 budget will maintain existing service levels. All federal mandates are incorporated into the budget.

The biggest change in the 1995 budget is the initiation of a more comprehensive vehicle replacement program. This program allows for transfers from the various departments into a "Vehicle Replacement Fund" to prevent spikes in cash needs in the future.

Mr. Olsen advised that the compensation package for employees included a 3% adjustment on the base and inclusion of higher premiums for health insurance for next year.

Following discussion, Commission Hattan moved to close the hearing. Commissioner Robbins seconded. Motion carried.

ORDINANCE NO. 2608 (1995 CITY BUDGET)

ADOPTED

Following the hearing on the 1995 Budget, the following ordinance was presented.

An ordinance entitled "AN ORDINANCE APPROVING, ADOPTED AND APPROPRIATING BY FUND THE CITY OF CONCORDIA FOR THE YEAR BEGINNING JANUARY 1, 1995, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CONCORDIA" was read and considered by the Commission.

On roll call upon its passage, the following Commissioners voted "Yea": Hattan, Robbins and Letourneau. "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. 2608.

RESOLUTION NO. 1143 (REVISION OF 1995 CLASSIFIED EMPLOYEES
OF THE CITY OF CONCORDIA)

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 Robbins, seconded by Commissioner Letourneau and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 1143 revising the 1995 schedule of pay grades for classified employees of the City of Concordia.

RESOLUTION NO. 1144 (REVISION OF 1995 NON-CLASSIFIED EMPLOYEES
OF THE CITY OF CONCORDIA)

APPROVED

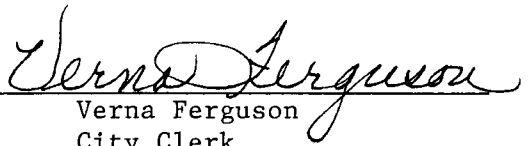
The City Manager presented to the City Commission a resolution establishing a schedule of pay grades for non-classified employees of the City of Concordia for year 1995. After a brief discussion, motion was made by Commissioner Robbins, seconded by Commissioner Letourneau and duly carried by the affirmative vote of the entire members-elect of the Commission that Resolution No. 1144 establishing pay grades for non-classified employees of the City of Concordia for year 1995 be approved.

PUBLIC COMMENTS

Armand Balthazor asked the Commission how much are we over or under the budget this year. Commissioner Hattan asked City Clerk Ferguson if we had ever gone over budget. Mrs. Ferguson replied that departments have gone over budget, but the budget overall had never been exceeded.

Armand then wanted to know what the city had done with the 5.9 mills it had budgeted for the lawsuit. Commissioner Hattan reminded him that 5.6 mills had been budgeted and that the money had been used to retire debt to save the City interest money.

There being no further business, Commission Robbins moved to adjourn the meeting until August 17, 1994, at 4:00 p.m. Commissioner Hattan seconded. Motion carried.


Verna Ferguson
City Clerk

(Seal)

The City Commission met in regular session on August 17, 1994, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Robbins and Letourneau present. Absent: None.

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

Visitors present: Joe Jindra from KNCK/KCKS, Richard Smith from The Blade-Empire, Armand Balthazor, Brenda Sedlacek, Clay A. Randel, Burl Maley, Joe A. Fakler, D.V.M., David Fakler, Ruth Fakler and Jeff Fakler.

Minutes of the August 3, 1994 and August 10, 1994 meeting were approved as written.

APPROPRIATION ORDINANCE NO. 15

APPROVED

Appropriation Ordinance No. 15 was approved according to law.

FINAL COSTS ON SS-94-1; SS-94-2 AND SS-94-3

APPROVED AS AMENDED

City Manager Olsen presented to the Governing Body the Final costs on Projects SS-94-1, SS-94-2 and SS-94-3. All projects are associated with the relocation of sanitary sewer lines for the Viaduct Construction Project being done by Kansas Department of Transportation. After the final costs were prepared, the City received an additional invoice for engineering in the amount of \$555.50. The City Manager asked that the final costs be amended to include the additional engineering.

Following discussion, Commissioner Hattan moved to accept the final costs for the aforementioned projects to include the \$550.50 making the total \$50,187.01. Commissioner Robbins seconded. Motion carried.

FINAL COSTS FOR PROJECT ST-94-OLIVE & HEARING DATE SET

APPROVED

City Manager Olsen presented to the Governing Body the Final Costs on Project ST-94-OLIVE for asphalt improvement on Olive Street between 5th Street and the railroad tracks. The final costs were determined to be \$4,168.96.

The statement of final costs was considered by the Governing Body and on a motion by Commissioner Letourneau, seconded by Commissioner Robbins and duly carried by affirmative vote of all the members-elect of the Governing Body present and voting, the total costs of the improvements were determined to be \$4,168.96. 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. 1136 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 Robbins, seconded by Commissioner Letourneau 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 7th day of September, 1994, 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.

PETITION ON CG-94-HANSEN

ACCEPTED

City Manager Olsen presented to the Commission a petition for the removal and reconstruction of curb and gutter along the North 1/2 of Lots 1 and 2, except the West 2 ft. of Lot 2, in Block 48, all located within the City of Concordia, Cloud County, Kansas. City Manager Olsen advised that Helen I. M. Hansen, owner of the property, had signed it and the petition is 100% sufficient. Commissioner Robbins moved to accept the petition. Commissioner Letourneau seconded. Motion carried.

RESOLUTION NO. 1145 AUTHORIZING CG-94-HANSEN

APPROVED

City Manager Olsen presented to the Commission a resolution authorizing the removal and reconstruction of curb and gutter along the North 1/2 of Lots 1 and 2, except the West 2 ft. of Lot 2, in Block 48, all located within the City of Concordia, Cloud County, Kansas, in the amount of \$5,170.17. The apportionment of cost on this project shall be 75% of the costs to be assessed to the benefit district 25% assessed to the city-at-large.

Following discussion, Commissioner Robbins moved to approve Resolution No. 1145 authorizing CG-94-Hansen. Commissioner Letourneau seconded. Motion carried.

PETITION CG-94-OLSON

ACCEPTED

City Manager Olsen presented to the Commission a petition for the removal and reconstruction of curb and gutter along the South 87' of Lots 13 and 14, in Block 8 of Elmhurst Addition, all in the City of Concordia, Cloud County, Kansas. City Manager Olsen advised that Elsie J. and Maude I. Olson, owners of the property, had signed it and the petition is 100% sufficient. Commissioner Robbins moved to accept the petition. Commissioner Letourneau seconded. Motion carried.

RESOLUTION NO. 1146 AUTHORIZING CG-94-OLSON

APPROVED

City Manager Olsen presented to the Commission a resolution authorizing the removal and reconstruction of curb and gutter along the South 87' of Lots 13 and 14, in Block 8 of Elmhurst Addition, all located within the City of Concordia, Cloud County, Kansas, in the amount of \$6,715.07. The apportionment of cost on this project shall be 66.32% assessed to the benefit district and 33.68% assessed to the city-at-large.

Following discussion, Commissioner Robbins moved to approve Resolution No. 1146 authorizing CG-94-Olson. Commissioner Letourneau seconded. Motion seconded. Motion carried.

PETITION ON CG-94-SWITZER

ACCEPTED

City Manager Olsen presented to the Commission a petition for the removal and reconstruction of curb and gutter along the North 44 ft. of Lots 34, 35 and 36, Block 129, all in the City of Concordia, Cloud County, Kansas. City Manager Olsen advised that Wayne L. and Eleanor Switzer, owners of the property, had signed the petition and it is 100% sufficient. Commissioner Robbins moved to accept the petition. Commissioner Letourneau seconded. Motion carried.

RESOLUTION NO. 1147 AUTHORIZING CG-94-SWITZER

APPROVED

City Manager Olsen presented to the Commission a resolution authorizing the removal and reconstruction of curb and gutter along the North 44' of Lots 34, 35 and 36, Block 129, all in the City of Concordia, Cloud County, Kansas, in the amount of \$2,145.14. The apportionment of cost on this project shall be 75% assessed to the benefit district and 25% assessed to the city-at-large.

Following discussion, Commissioner Robbins moved to approve Resolution No. 1147 authorizing CG-94-Switzer. Commissioner Letourneau seconded. Motion carried.

PETITION ON CG-94-VALCOURE

ACCEPTED

City Manager Olsen presented to the Commission a petition for the removal and reconstruction of curb and gutter along the South 84' ft. of Lots 19 and 20, Block 122, all in the City of Concordia, Cloud County, Kansas. City Manager Olsen advised that Beatrice Valcoure, owner of the property, had signed the petition and it is 100% sufficient. Commissioner Robbins moved to accept the petition. Commissioner Letourneau seconded. Motion carried.

RESOLUTION NO. 1148 CG-94-VALCOURE

APPROVED

City Manager Olsen presented to the Commission a resolution authorizing the removal and reconstruction of curb and gutter along the South 84 ft. of Lots 19 and 20, Block 122, all in the City of Concordia, Cloud County, Kansas, in the amount of \$3,494.51. The apportionment of cost on this project shall be 75% assessed to the benefit district and 25% assessed to the city-at-large.

Following discussion, Commissioner Robbins moved to approve Resolution No. 1148 authorizing CG-94-Valcoure. Commissioner Letourneau seconded. Motion carried.

PETITION ON CG-94-WELLENDORF

ACCEPTED

City Manager Olsen presented to the Commission a petition for the removal and reconstruction of curb and gutter along the West 13 ft. of Lot 22, and all of Lots 23 and 24, Block 151, all in the City of Concordia, Cloud County, Kansas. City Manager Olsen advised that Timothy E. and Debra E. Wellendorf, owners of the property, had signed the petition and it is 100% sufficient. Commissioner Robbins moved to accept the petition. Commissioner Letourneau seconded. Motion carried.

RESOLUTION NO. 1149 AUTHORIZING CG-94-WELLENDORF

APPROVED

City Manager Olsen presented to the Commission a resolution authorizing the removal and reconstruction of curb and gutter along the West 13 ft. of Lot 22, and all of Lots 23 and 24, Block 151, all in the City of Concordia, Cloud County, Kansas, in the amount of \$7,731.38. The apportionment of cost on this project shall be 70.25% assessed to the benefit district and 29.48% assessed to the city-at-large.

Following discussion, Commissioner Robbins moved to approve Resolution No. 1149 authorizing CG-94-Wellendorf. Commissioner Letourneau seconded. Motion carried.

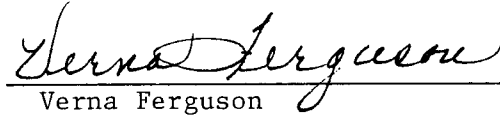
EAGLE SCOUT PRESENTATION

DAVID FAKLER

David Fakler presented the City with two park benches in his work towards his Eagle Scout Achievement Award. The benches are to be used any place the City can use them. Mayor Hattan thanked David for the benches and then the group gathered for pictures.

There being no further business, Commissioner Robbins moved to adjourn the meeting. Commissioner Letourneau seconded.

The next Study Session will be at 6:30 p.m. on August 24, 1994.



Verna Ferguson
City Clerk

(Seal)

VF:lf

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

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

Visitors present: Brad Lowell from The Blade-Empire, Joe Jindra from KNCK/KCKS, Armand Balthazor, Clay A. Randel, Burl Maley, Dale Ferguson and Steve Nelson.

Minutes of the August 17, 1994 meeting were approved as written.

APPROPRIATION ORDINANCE NO. 16

APPROVED

Appropriation Ordinance No. 16 was approved according to law.

ASSESSMENT HEARING - PROJECT ST-94-OLIVE

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:

The grading and surfacing of Olive Street between the current edge of the paved surface of platted Fifth Street and approximately the center of the intersection of platted Fourth Street and Olive Street, all in the City of Concordia, Cloud County, Kansas.

as authorized by Resolution No. 1136 of this Governing Body adopted May 4, 1994, and to hear written or oral objections thereto. The Governing Body determined that the 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 during the hearing to object to the project.

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 Letourneau and duly carried by the affirmative vote of all the members-elect of the Commission to close the hearing and to approve the proposed assessments in the amounts set out against the lands described in the assessment roll as provided by K.S.A. 12-61a0, as amended.

ORDINANCE NO. 2609 (SPECIAL ASSESSMENTS FOR ST-94-OLIVE)

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: THE GRADING AND SURFACING OF OLIVE STREET BETWEEN THE CURRENT EDGE OF THE PAVED SURFACE OF PLATTED FIFTH STREET AND APPROXIMATELY THE CENTER OF THE INTERSECTION OF PLATTED FOURTH STREET AND OLIVE STREET, ALL IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Hattan, Robbins and Letourneau. "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. 2609.

ORDINANCE NO. 2610 (REGULATING USE OF PLATTED STREETS & ALLEYS)

PASSED

City Attorney Retter presented the following ordinance setting out the provisions for limited use, by adjoining property owners, of platted and/or dedicated public streets and alleys.

An ordinance entitled, "AN ORDINANCE REGULATING ADJOINING LANDOWNERS' PRIVATE USE OF PUBLIC STREETS AND ALLEYS, AS DEFINED, AND PROVIDING THE DETAILS OF SUCH REGULATIONS; AND AMENDING THE CONCORDIA CODE BY ADDING ARTICLE IV, CHAPTER 22, SECTIONS, TO BE NUBMERED 22-60 TO 22-68" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Hattan, Robbins and Letourneau. "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. 2610.

ORDINANCE NO. 2611 (SANITARY SEWER IMPROVEMENT POLICY)

PASSED

City Attorney Retter presented the following ordinance repealing Section 19-1 of the Concordia Code.

An ordinance entitled "AN ORDINANCE CONCERNING PLUMBING REGULATIONS, AND REPEALING CONCORDIA CODE SECTION 19-1" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Hattan, Robbins and Letourneau. "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. 2611.

ORDINANCE NO. 2612 (SANITARY SEWER IMPROVEMENT POLICY)

PASSED

City Attorney Retter presented the following ordinance repealing Sections 26-12, 26-13, 26-85 and 26-88 of the Concordia Code and preserving the provisions of Concordia Code Section 26-74.

An ordinance entitled "AN ORDINANCE CONCERNING MANDATORY SANITARY SEWER CONNECTIONS IN THE CITY OF CONCORDIA, KANSAS, AND PROVIDING ADDITIONAL DETAILS OF SUCH REGULATION, AND AMENDING THE CONCORDIA CODE BY REPEALING THE FOLLOWING CONCORDIA CODE SECTIONS: 26-12, 26-13, 26-85 AND 26-88" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Hattan, Robbins and Letourneau. "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. 2612.

LICENSE AGREEMENT - ELDON AND ANITA WISDOM

APPROVED

City Manager Olsen presented a license agreement from Eldon and Anita Wisdom to enable them to place a one-inch water line under Hill Street, which is a public right-of-way, for the purpose of watering livestock.

Following discussion, Commissioner Letourneau moved to approve the License Agreement as presented. Commissioner Robbins seconded. Motion carried unanimously.

MAYOR'S COMMENTS

Mayor Hattan asked to address comments made in the Concerned Citizen Newsletter. He noted that all the letters mailed from the "windshield survey" on dangerous structures were mailed with a 29 cent stamp, NOT registered mail.

PUBLIC COMMENTS

Armand Balthazor discussed a complaint about his using compost on his back yard. City Manager Olsen advised him that the City had received a citizen complaint about the situation and had followed up on it.

Steve Nelson was there to discuss the Olive Street project but did not make it in time for the hearing. He said the Street Department did a wonderful job on the resurfacing but he needs to have Tom come down and discuss an area around the culvert.

Commissioner Robbins said that he had received complaints about the "windshield survey". He suggested that people be notified in person. Steve Nelson said he thought a story in the newspaper would be helpful and give people some notice of what the City is going to do.

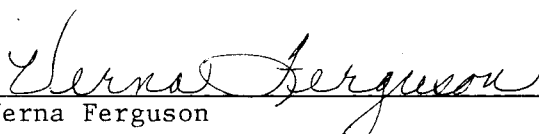
Clay Randel, Director of Utilities, discussed the halt of the viaduct project. That the stoppage was a result of lead paint. As soon as that issue is resolved, the project will continue.

STUDY SESSION

DATE SET

The Commission set the date of September 14, 1994, at 6:30 p.m. as the next Study Session.

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


Verna Ferguson
City Clerk

(Seal)

The City Commission met in regular session on September 21, 1994, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Robbins and Letourneau present. Absent: None.

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

Visitors present: Joe Jindra from KNCK/KCKS, Brad Lowell from The Blade-Empire, Jack Graves, Ed Hamel and Larry Brown.

Minutes of the September 7, 1994, meeting were approved as written.

APPROPRIATION ORDINANCE NO. 17

APPROVED

Appropriation Ordinance No. 17 was approved according to law.

BID AWARD (CG-94-CURB & GUTTER PROJECTS)

BRYANT & BRYANT CONSTRUCTION

City Clerk Ferguson advised the Commission that bids were received on September 13, 1994 for the 1994 curb and gutter projects. She advised that only one bid was received and that was from Bryant & Bryant Construction, Halstead, Kansas, in the amount of \$16,107.00. The engineer's estimate was \$19,717.00. Following discussion, Commissioner Robbins moved to accept the bid of \$16,107.00 from Bryant and Bryant. Commissioner Letourneau seconded. Motion carried unanimously.

PAYMENT OF TEMPORARY NOTES

APPROVED

The Commission discussed the payment of temporary notes which are not included specifically in the budget. Following discussion, Commissioner Hattan moved to accept the recommendation of City Clerk Ferguson to pay \$40,108.00 from General Special Projects and \$10,125.84 from the Bond and Interest Fund. Commissioner Robbins seconded. Motion carried unanimously.

FINAL COSTS AND HEARING DATE SET FOR ST-93-ARCHER

APPROVED

City Clerk Ferguson presented to the Governing Body the Final Costs on Project ST-93-ARCHER for improvements on Archer Street from the intersection of 17th Street South to 20th Street then East on 20th Street to Hill Street. The final costs were determined to be \$17,594.50.

The statement of final costs was considered by the Governing Body and on a motion by Commissioner Robbins, seconded by Commissioner Letourneau and duly carried by the affirmative vote of all the members-elect of the Governing Body present and voting, the total costs of the improvements were determined to be \$17,594.50. Labor provided by the County was \$1,700.00 (9.66%); Labor provided by the City of Concordia was \$4,651.61 (26.44%); Rolling Hills Development Agreement was \$3,219.79 (18.30%); Blosser Development Agreement was \$1,618.70 (9.20%); and Improvement District \$6,404.40 (36.40%). 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. 1120 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 Letourneau 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 5th day of October, 1994, 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.

VOTING DELEGATES TO 1994 LEAGUE CONFERENCE

Commissioner Hattan moved to appoint City Clerk Verna Ferguson and Commissioner LaVern Robbins as voting delegates to the 1994 League Conference, and Commissioner Larry Letourneau and City Manager Chad Olsen as Alternate voting delegates. Commissioner Robbins seconded. Motion carried unanimously.

ORDINANCE NO. 2613 (STANDARD TRAFFIC ORDINANCE)

PASSED

Acting Attorney Long advised the Commission that City Attorney Retter has prepared the update to the Standard Traffic Ordinance to bring the City into compliance with 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 1994, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONAL PROVISIONS; PROVIDING CERTAIN PENALTIES AND REPEALING EXISTING SECTIONS 23-1 THROUGH 23-6, INCLUSIVE, OF THE CONCORDIA CODE; AND AMENDING THE CONCORDIA CODE, BY ADDING SECTIONS TO BE NUMBERED 23-1 THROUGH 23-7, BOTH INCLUSIVE" was read and considered by the Commission. On roll call upon its passage, the following commissioners voted "Yea": Hattan, Robbins and Letourneau. "Nay": None. With all the members-elect of the Commission having voted in favor thereof, the ordinance was declared passed and the City Clerk assigned to it No. 2613.

AMBULANCE CHARGE-OFFS (JULY 1 THROUGH DECEMBER 31, 1993)

ACCEPTED

City Clerk Ferguson presented the ambulance charge-off list for the period of July 1 through December 31, 1993. The total charge-off amount for this period is \$4,484.87. This compares with \$8,939.40 for the previous six-month period. Following discussion, Commissioner Hattan moved to accept the charge-off list and ordered them placed on file. Commissioner Letourneau seconded. Motion carried.

SET-OFF AGREEMENT WITH STATE OF KANSAS

APPROVED

City Clerk Ferguson presented to the Commission an amendment to the Set-Off Agreement with the State of Kansas. The new agreement will require a charge of 18.4% of all debts submitted on diskette with social security numbers and 23.4% on other debts. This charge is only assessed on those accounts collected by the State.

Following discussion, Commissioner Hattan moved to approve the new agreement. Commissioner Robbins seconded. Motion carried.

RESOLUTION NO. 1150 (NUISANCE ABATEMENT)

JAMES BISNETTE

Mayor Hattan 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. 236 W. 2nd - James Bisnette

After some discussion, Commissioner Robbins moved to abate the nuisance at 236 W. 2nd Street. Commissioner Letourneau seconded. Motion carried.

ANNUAL OPERATION AND MAINTENANCE ASSURANCE STATEMENT

APPROVED

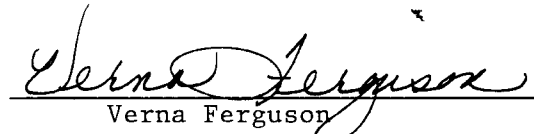
Each year the Kansas State Parks & Wildlife Department requests an "Annual Operation and Maintenance Assurance Statement". This Statement is required because grant funds were used to improve the park system in Concordia. Following discussion, Commissioner Letourneau moved to approve the statement. Commissioner Robbins seconded. Motion carried.

PUBLIC COMMENTS

Ed Hamel was present to complain about franchise taxes on new construction.

Larry Brown was present to request permission to erect a sign advertising his business on property that used to house a wellhouse that is not longer used. The Commission instructed him to visit with the city manager.

There being no further business, Commissioner Hattan moved to adjourn the meeting until 6:30 p.m. on September 28, 1994. Commissioner Robbins seconded. Motion carried.


Verna Ferguson
City Clerk

(Seal)

The City Commission met in adjourned session on September 28, 1994, at 6:30 o'clock p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Robbins and Letourneau present. Absent: None.

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

Visitors present: Barbara Henry, Clay Randel, Armand Balthazor, Jay Lowell, Jim Ganson, Larry Nelson, Don Willson, Jack Graves, Kathryn Carter, Ted Collins, Andy Conster, Karen Miller and Greg Thoman.

TRANSFER OF PROPERTY FROM CITY OF CONCORDIA TO U.S.D. 333

APPROVED

City Attorney Retter presented information on an agreement reached between the City and U.S.D. 333 to transfer ownership of a tract of land in the Southeast Quarter of Section 34, Township 5 South, Range 3 West of the 6th P.M. from the City to U.S.D. 333.

Following discussion, Commissioner Letourneau moved to authorize the Mayor and City Clerk to execute the contract for the transfer of the aforementioned property. Commissioner Robbins seconded. Motion carried unanimously.

PET PROJECT PRESENTATION

JUDGE KATHRYN CARTER

Judge Kathryn Carter presented an overview of a proposed project entitled "Pet Project" to the City Commission. The Mission Statement is: "To provide a diverse population of animals to the community of Cloud County for the purpose of giving community members the opportunity to work together in caring for the animals and allowing for teaching the youth basic life skills".

The Commission thanked Judge Carter and others interested for the presentation and asked that the additional information be provided to the City Manager when it becomes available.

COUNTRY CLUB GOLF COURSE IMPROVEMENTS

DISCUSSED

Jay Lowell and Jim Ganson, Country Club Board Members, asked to discuss improvements needed at the Country Club. These improvements include concrete golf cart paths, improvements to the underground irrigation system and reconstruction of their main sanitary sewer connecting line.

City Attorney Retter prepared a letter outlining various methods of doing the improvements, possible ways of financing, etc.

Following discussion, the Commission asked City Attorney Retter to investigate establishing a special assessment sewer district. No action was taken on this presentation.

STATUS REPORT ON WELL NO. 22

CLAY A. RANDEL

Director of Utilities Clay A. Randel gave a status report on installation of Well No. 22. He advised the estimated cost of the installation is \$69,413 plus travel related expenses for groundwater geologist and administrative and financing costs. This project has been previously approved and the City is proceeding with its development.

No action was taken on the presentation.

UNIFORM PUBLIC OFFENSE CODE

DAVID RETTER

City Attorney David Retter presented an overview of the Uniform Public Offense Code and answered questions from the Commission.

No action was taken.

COMMISSION INTO EXECUTIVE SESSION

At this time Commissioner Hattan moved that the Commission recess into executive session for 15 minutes to discuss land acquisition. Commissioner Robbins seconded. Motion carried.
Time: 8:35 p.m.

The Commission reconvened at 8:50 p.m.

Commissioner Hattan announced the Commission had been discussing land acquisition but that no official action would be taken at this time.

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


Chad C. Olsen, Acting Secretary

(Seal)

CO:VF:db

The City Commission met in regular session on October 5, 1994, at 4:00 o'clock p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Robbins and Letourneau present. Absent: None.

Other officers present: City Manager Olsen, City Clerk Ferguson, Acting City Clerk Lanoue and City Attorney Retter.

Visitors present: Joe Jindra and Lori Ade from KNCK/KCKS, Brad Lowell with The Blade-Empire, Ethel Henthorne, Margaret Mahon, Marilouise Breault, Lee Collette, Ward Morgan, Burl Maley, Carol Miller, Kathryn Carter, Mike Johnston, Gearld Bachamp, Clay A. Randel, Dr. Pat Anderson, Wayne Fowler, Robert Steimel, Jack Graves, Pam Miller, Kirsty Mikesell, Andy Conser, Sarah Holbert and Armand Balthazor.

Minutes of the September 21, 1994 and September 28, 1994, meetings were approved as written.

APPROPRIATION ORDINANCE NO. 18

APPROVED

Appropriation Ordinance No. 18 was approved according to law.

PROCLAMATION HONORING DR. WAYNE L. FOWLER

PRESENTED

Dr. Pat Anderson read a proclamation honoring Dr. Wayne L. Fowler and asked the Commission to set October 10th as Dr. Wayne L. Fowler day. The Mayor signed the proclamation and thanked Dr. Fowler for his service to this community.

COMPUTER SPECIFICATIONS PRESENTED

AUTHORIZED TO SOLICIT PROPOSALS

City Manager Olsen advised the Commission that Ward Morgan of Kennedy & Coe was ready to present a modified version of the City's computer needs. Following Mr. Morgan's presentation, Commissioner Letourneau moved to accept the computer assessment as presented. Commissioner Robbins seconded. Motion carried.

City Manager Olsen advised the bid opening would be October 27th and the presentation to the Commission on November 2, 1994.

ASSESSMENT HEARING - PROJECT ST-93-ARCHER

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:

The grading, road bed preparation and surfacing of Archer Street, between 17th Street and 20th Street and 20th Street, between Archer Street and Hill Street in the City of Concordia, Cloud County, Kansas,

as authorized by Resolution No. 1120 of this Governing Body adopted on June 9, 1993, and to hear written or oral objections thereto. The Governing Body determined that the 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 Laws of 1957, otherwise cited as K.S.A. 12-6a09(b).

No one was present during the hearing to object to the project.

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 Letourneau and duly carried by the affirmative vote of all the members-elect of the Commission to close the hearing and to approve the proposed assessments in the amount set out against the lands described in the assessment roll as provided by K.S.A. 12-6a10, as amended.

ORDINANCE NO. 2615

PASSED

Following the public 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: THE GRADING, ROAD BED PREPARATION AND SURFACING OF ARCHER STREET, BETWEEN 17TH STREET AND 20TH STREET, AND 20TH STREET, BETWEEN ARCHER STREET AND HILL STREET IN THE

On roll call upon its passage the following commissioners voted "Yea": Hattan Robbins and Letourneau. "Nay": None. With all the commission-elect voting in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2615.

PURCHASE OF GRIT PUMP FOR WASTEWATER PLANT

AUTHORIZED

Director of Utilities Clay Randel presented a recommendation to purchase a grit pump for the Wastewater Plan in the amount of \$8,465. He advised that he had received bids from Enviro-Line Co. for a Cornell Model for \$6,476; and a bid from Graue-Hewitt & Affiliates for a Wemco Model CE for \$8,465. After explaining the advantages of the Wemco grit pump versus the other pump even though the amount was greater, Commissioner Robbins moved to accept the bid from Graue-Hewitt & Affiliates for the Wemco Model CE grit pump with V-belt drive.

PURCHASE OF MOWER FOR WATER/SEWER DEPARTMENT

AUTHORIZED

Director of Utilities Clay Randel presented a recommendation for the purchase of a new mower for the Water/Sewer Department. Bids were received from the following:

| | |
|---------------------------|-------------------------|
| Concordia Tractor, Inc. | \$ 3,299.00 with trade. |
| Carrico Implement, Beloit | \$ 3,325.00 with trade. |
| Coast to Coast | \$ 4,399 with trade. |
| Excel Sales, Inc. | \$ 6,700.00 with trade. |

Following discussion Commissioner Letourneau moved to accept the bid from Concordia Tractor, Inc. in the amount of \$3,299.00. Commissioner Robbins seconded. Motion carried.

PURCHASE OF COMPUTER AIDED DISPATCHING SYSTEM

AUTHORIZED

Police Chief Burl Maley requested the purchase of a Computer Aided Dispatching System with monies already budgeted from the 911 Emergency Fund. The cost of the system is \$4,594.00 and this includes single user software, hardware, tape backup, battery backup, printer, 24-hour telephone support and all software maintenance updates for one year. Following discussion Commissioner Letourneau moved to authorize the purchase. Commissioner Robbins seconded. Motion carried.

PURCHASE OF FIRE DEPARTMENT RADIO SYSTEM

AUTHORIZED

Fire Chief Jack Graves requested the commission authorize the purchase of additional radio equipment to improve the communication systems for the Concordia Fire and EMS Department. The total cost is proposed to be \$3,816.00 and can be purchased with monies in the 911 Emergency Fund. Following discussion, Commissioner Robbins moved to authorize the purchase. Commissioner Hattan seconded. Motion carried.

RELOCATION OF OLD CITY RECORDS TO CLOUD COUNTY HISTORICAL MUSEUM

AUTHORIZED

City Clerk Verna Ferguson requested the Commission authorize relocation of old City Commission Record books to the Cloud County Historical Museum. These old "minute" books date back to 1871 and 1872 when the city was founded. Mrs. Ferguson had checked with the curator at the museum and they were willing to accept the old record books. Following discussion, Commissioner Robbins moved to authorize the relocation of the old City Records. Commissioner Hattan seconded. Motion carried.

ORDINANCE NO. 2614 (UNIFORM PUBLIC OFFENSE CODE)

PASSED

An ordinance entitled "AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES", EDITION OF 1994, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONAL PROVISIONS; PROVIDING CERTAIN PENALTIES AND REPEALING THE FOLLOWING EXISTING SECTIONS: SECTION 15-11, CRIMINAL DAMAGE TO PROPERTY; SECTION 15-14, LITTERING; SECTION 15-17, THEFT; SECTION 15-18, PRIMA FACIE EVIDENCE OF INTENT TO PERMANENTLY DEPRIVE; SECTION 15-19, UNLAWFUL DEPRIVATION OF PROPERTY; SECTION 15-20, THEFT OF SERVICE; SECTION 15-22, ASSAULT; SECTION 15-23, BATTERY; SECTION 15-24, DISORDERLY CONDUCT; SECTION 15-25, RIOT; SECTION 15-26, UNLAWFUL ASSEMBLY; SECTION 15-28, HYPNOTIC EXHIBITION; SECTION 15-30, PLANTING, SELLING, ETC. PEYNOTE AND MARIJUANA; SECTION 15-31, PROSTITUTION; SECTION 15-32, PROMOTING PROSTITUTION; SECTION 15-33, PATRONIZING A PROSTITUTE; SECTION 15-34, INDECENT EXPOSURE; SECTION 15-35, PROMOTING OBSCENITY; PROMOTING OBSCENITY; SECTION 15-36, VAGRANCY; SECTION 15-37, UNLAWFUL USE OF WEAPONS; SECTION 15-38, DISCHARGE OF

FIREARMS; SECTION 15-39, DISCHARGE OR USE OF AIRGUNS OR SLING SHOTS; SECTION 15-40, UNLAWFUL USE OF FIREARMS; SECTION 15-41, BLASTING; SECTION 15-43, THEFT OF CABLE TELEVISION SERVICE; SECTION 15-44, ATTEMPT TO COMMIT A CRIME; SECTION 15-45, LIABILITY FOR CRIMES OF ANOTHER; LIABILITY FOR CRIMES OF ANOTHER; SECTION 15-46, DESECRATING A CEMETERY; SECTIONS 15-52 THROUGH 15-55, GAMBLING, PERMITTING PREMISES TO BE USED, AND POSSESSION OF A GAMBLING DEVICE; SECTION 17-5, 11:00 P.M. CURFEW IN SPORTS COMPLEX; SECTION 17-7 THROUGH 17-10, SPECIFIC VIOLATIONS IN PUBLIC PARKS AND AIRPORT PARK; SECTION 20-4 THROUGH 20-8, ESCAPE BY PRISONERS, LOITERING, ASSAULTING AN OFFICER, RESISTING ARREST, IMPERSONATING AN OFFICER; OF THE CONCORDIA CODE; AND AMENDING THE CONCORDIA CODE, BY ADDING A SECTION TO BE NUMBERED 15-100" was read and considered by the Commissioner. On roll call upon its passage, the following members-elect of the Commission voted "Yea": Hattan, Robbins and Letourneau. "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. 2614.

APPOINTMENT TO AIRPORT ADVISORY BOARD

MIKE HOLMES

Commissioner Hattan moved to appoint Mike Holmes to the Airport Advisory to fill the vacancy created by the resignation of Dean Frazier. Commissioner Letourneau seconded. Motion carried. Mr. Holmes' term expires in July of 1997.

MANAGER'S REPORT

City Manager Chad Olsen advised the Commission that the City had received their last drawdown from the Urgent Need Grant in the amount of \$121,996.00. The doors are still not installed at the T-Hangars, but the cost of the doors was included in the grant drawdown.

NEW CITY CLERK INTRODUCED

CHERYL LANOUE

City Manager Olsen introduced Cheryl Lanoue as the new City Clerk who will take over the Clerk's duties upon the retirement of Verna Ferguson. Mrs. Ferguson will be retiring at the end of October.

PUBLIC COMMENTS

Pam Miller was present representing the Cloud County Health Department asking for a letter of support to be signed by the Mayor to enable the Health Dept. to get a grant for Cloud and Republic Counties.

Judge Kathryn Carter was present to ask the Commission's support of a project to help "at risk" children by leasing farm land on the Blosser property at the south edge of Concordia. Carol Miller, Chairman of the Resource Council Committee for the project was present to advise the goal is to teach these young people responsible and respect for property by having them care for animals at the farm. She said the Committee is attempting to draw on the senior citizens of the community as well. Judge Carter explained the plan is to hire a farm manager through the Green Thumb program but that this position would not be a full time job but a supervisory position. Carter said she is requesting support from other taxing units as well. City Manager Olsen advised the property would be under the City's insurance program but would be minimal.

Armand Balthazor questioned the cost of this project to the taxpayers in this community for now and in the future. Judge Carter replied that funding could be stopped at any time but the project would rely on volunteers as much as possible.

MAYOR'S COMMENTS

Commissioner Hattan addressed several issues in the last Concerned Citizens Newsletter specifically on newcomers to Concordia remarking that Dr. Fowler was a newcomer one time and stayed here and has benefitted this community for 41 years.

STUDY SESSION

DATE SET

The Commission set October 12, 1994, at 6:30 p.m. as the next Study Session.

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

The City Commission met in adjourned session on October 12, 1994, at 6:30 p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Robbins and Letourneau present. Absent: None.

Other Officers: City Manager Olsen and City Attorney Retter.

Visitors present: Kirk Lowell, Brenda Sedlack and Armand Balthazor.

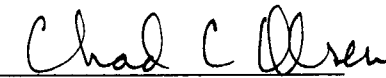
COMMISSION INTO EXECUTIVE SESSION

There being no regular business Commission Letourneau moved, Commissioner Robbins seconded to go into executive session at 6:40 p.m., for 15 minutes to discuss property acquisition. Motion carried.

The Commission reconvened at 6:55 p.m. and Commissioner Hattan announced the Commission had discussed property acquisition, but no official action was taken at this time.

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

(Seal)



Chad Olsen
Acting Secretary

The City Commission met in regular session on October 19, 1994, at 4:00 p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Letourneau present. Absent: Commissioner Robbins.

Other Officers: City Manager Olsen, City Attorney Retter and Act City Clerk Lanoue.

Visitors present: Lori Ada from KNCK/KCKS, Brad Lowell with The Blade-Empire, Armand Balthazor, Pat Eaton, Sarah Sjolander, Delbert Eaton, Pete Beaumont, Bud Sjolander, Tom Fisher, Brenda Sedlacek, Dennis Blochlinger, Ronald Copple, Lisa Fleming, Marie Winter, Kirk Lowell and Jack Graves.

Minutes of the October 5, 1994 and October 12, 1994 meetings were approved as written.

APPROPRIATION ORDINANCE NO. 19

APPROVED

Appropriation Ordinance No. 19 was approved according to law.

COMMUNITY BLOCK GRANT AGREEMENT (SANITARY SEWER LINE PROJECT)

AUTHORIZED

City Manager Olsen advised that the City received notice the City had been awarded the Community Development Block Grant on the sanitary sewer line. The estimated cost of project is \$244,268 with the City's share of the project being \$122,134.

Following discussion, Commissioner Letourneau moved to authorize the Mayor to sign the Grant Agreement. Commissioner Hattan seconded. Motion carried.

THIRD QUARTER INVESTMENT REPORTS

ORDERED PLACED ON FILE

City Manager Olsen presented the third quarter investment report for 1994 per Ordinance No. 1860. The interest received year-to-date was \$45,301.25. The average interest rate in 1994 for this quarter is 3.996% compared to 2.86% in 1993.

TEN YEAR SERVICE AWARD

PRESENTED

Mayor Hattan and Commissioner Letourneau recognized the following employees for their 10 years of service with City, Dennis Blochlinger, Charles Sjolander, Pete Beaumont, Delbert Eaton, Lisa Fleming and Ronald Copple.

PUBLIC COMMENTS

John Cyr with North Central Regional Planning Commission discussed the EDA Disaster Recovery Grant which the City was awarded \$366,000 from the US Department of Commerce to mitigate future flooding in the industrial park. John stated that the City would have 45 days to apply for matching funds of \$122,000 from the state. If the City would elect to apply for the matching funds, they would have to update pages 1 and 3 of the application, schedule a public hearing concerning this issue and send a letter to Karlene Novak with Kansas Department of Commerce & Housing regarding matching funds for the EDA Grant.

Following discussion Commissioner Hattan moved to update pages 1 and 3 of the application, send a letter to Karlene Novak of the Kansas Department of Commerce & Housing and to schedule a public hearing concerning the issue for October 26, 1994 at 6:30 p.m. Commissioner Letourneau seconded. Motion carried.

COMMISSION INTO EXECUTIVE SESSION

At this time Commissioner Hattan moved that the Commission recess into executive session for 15 minutes to discuss land acquisition. Commissioner Letourneau seconded. Motion carried. Time: 4:15 p.m.


The Commission reconvened at 4:30 p.m.

Commissioner Hattan moved to recess for an additional 5 minutes to continue the discussion on land acquisition. Commissioner Letourneau seconded. Motion carried. Time: 4:30 p.m.

The Commission reconvened at 4:35 p.m.

Commissioner Hattan announced the Commission had been discussing land acquisition but that no official action would be taken at this time.

There being no further business, Commissioner Hattan moved to adjourn the meeting to October 26, 1994 at 6:30 p.m. Commissioner Letourneau seconded. Motion carried.


Cheryl Lapoue
Acting City Clerk

(Seal)

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The City Commission met in adjourned session on October 26, 1994, at 6:30 p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Letourneau and Robbins present. Absent: None.

Other Officers: City Manager Olsen, City Attorney Retter and Acting City Clerk Lanoue.

Visitors present: Lori Ada from KNCK/KCKS, Brad Lowell with The Blade-Empire, Armand Balthazor, Isadore Bombardier, Kathryn Carter, Tom Fisher, Andy Conser, Brenda Sedlacek, Kirk Lowell and Jack Graves.

PUBLIC HEARING: EDA DISASTER RECOVERY APPLICATION

HELD

At this time Mayor Hattan announced a public hearing to invite people from the community to offer suggestions on the project for submission for EDA Disaster Recovery Application.

Commissioner Hattan moved to close the hearing. Commissioner Letourneau seconded. Motion carried.

DISCUSSION OF LEASE AGREEMENT WITH BLOSSERS

Kathryn Carter was present to ask the Commission to look into a lease agreement with Blossers. Commissioner Hattan moved to authorize the City Attorney to investigate a lease agreement with Blossers. Commissioner Letourneau seconded. Motion carried.

PUBLIC WORKS DISCUSSIONS

Tom Fisher was present to give an update on the Public Works Department. Commissioner Hattan wanted to know if Archer Street was done. Tom replied that Archer Street is done except for some shoulder work.

COMMISSION INTO EXECUTIVE SESSION

At this time Commissioner Hattan moved that the Commission recess into executive session for 15 minutes to discuss land acquisition. Commissioner Robbins seconded. Motion carried. Time: 6:55 p.m.

The Commission reconvened at 7:10 p.m.

Commissioner Hattan moved to recess for an additional 10 minutes to continue the discussion of land acquisition. Commissioner Robbins seconded. Motion carried. Time: 7:10 p.m.

The Commission reconvened at 7:15 p.m.

Commissioner Hattan proposed that the City Manager look for a site for City Hall and Fire Station because of problems with ADA and the 81 highway being widened to 4 lanes, the sale of City Hall and the financing of a proposed site.

City Attorney Retter advised the commission that they would need a Resolution to do this.

RESOLUTION NO. 1151 AUTHORIZING THE FINANCING OF THE ACQUISITION
OF A BUILDING AND CONSTRUCTING IMPROVEMENTS AND ADDITIONS

APPROVED

PUBLIC COMMENTS

Brad Lowell, from the Blade-Empire asked how much space would the new site require and where is the \$512,00 coming from?

Commissioner Hattan said we would need between 15,000 and 20,000 square feet, which would include 4,600 square feet for storage of vehicles. As for the \$512,000 the 1st year lease payment would be from the proceeds of the sale of the City Hall building. The 2nd year lease payment would come from Special Projects. the 3rd, 4th and 5th lease payments would come from Bond & Interest and Special Projects. There would be no change in the mill levy and the City would still continue paying on debt free in the year of 2000.

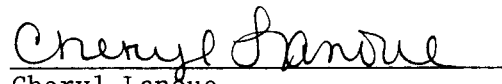
Thereupon, Commissioner Hattan moved that said Resolution be passed. The motion was seconded by Commissioner Robbins. Said Resolution was duly read and considered, and upon being put, the motion for the passage of said Resolution was carried by the vote of the governing body, the vote being as follows:

Aye: Commissioner Hattan, Robbins and Letourneau

Nay: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 1151 and was signed by the Mayor and Attested by the Acting City Clerk.

There being no further business, a motion was made by Commissioner Letourneau and seconded by Commissioner Robbins and duly carried that the City Commission meeting Adjourn.


Cheryl Landue
Acting City Clerk

(Seal)

The City Commission met in regular session on November 2nd, 1994, at 4:00P.M. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Letourneau and Robbins present.

Other Officers: City Manager Olsen, City Attorney Retter and Deputy City Clerk Phil Deneault.

Visitors present: Todd Nicholson, Jack Graves, Lori Ada from KNCK/KCKS and Brad Lowell with the Blade Empire.

APPROPRIATION ORDINANCE NO. 20

APPROVED

Appropriation Ordinance No. 20 was approved according to law.

COMPUTER BIDS

REJECTED

City Manager Olsen addressed the City Commission concerning the bids for the new computer system. He explained that all the bids were in and that at this time it would be beneficial to the City to reject all bids until bids could be let on the proposed new office building and fireman's quarters. By doing this the City could save some money and incorporate the new computer system and wiring into the design of the new building. Following discussion Mayor Hattan moved to reject all bids on the new computer at this time. Commissioner Robbins seconded the motion. Motion carried.

BIDS ON SIX YEAR LEASE PURCHASE FINANCING

APPROVED

City Attorney Dave Retter advised the City Commission to approve Citizens National Bank as low bidder for the lease purchase financing for land acquisition and building renovation for the new city offices and fire station. Citizens National Bank was low bidder with a rate of 5.94%. UMB First Bank and Tri-County Bank were the other financial institutions that were asked to submit bids for this financing. There being no further comments Commissioner Letourneau moved to approve Citizens National Bank as low bidder. Commissioner Robbins seconded the motion. Motion carried.

ORDINANCE #2616 LAND ACQUISITION AND LEASE PURCHASE FINANCING

APPROVED

After approving Citizens National Bank as low bidder, Commission Letourneau moved to approve the execution of property acquisition and the entering into the Lease Purchase Transaction with Citizens National Bank. Commissioner Robbins seconded the motion. Motion carried.

APPOINTMENTS TO PLANNING COMMISSION

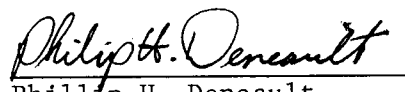
APPROVED

City Manager Olsen advised the commission that two terms on the Planning Commission expired November 1, 1994. Karen Dunlap, already serving on the Commission, has agreed to continue on the Planning Commission for another term to expire November 1, 1997. A vacant position was created when Keith Sherwood moved. Phil Gilliland has indicated a willingness to fill out the remainder of the term which expires November 1, 1996. Mayor Hattan moved to accept the appointments of Karen Dunlap and Phil Gilliland to the Planning Commission. Commissioner Letourneau seconded the motion. Motion carried.

MANAGER'S REPORT

City Manager Olsen updated the commissioners on the current status of the T Hangers. At the current time work has still not been completed by the original contractor. The City would be contacting the bonding company to see what direction the City would be taking to get the project completed. The bonding company would have to provide completion of the project or the City could possible contract somebody locally to get the project completed with the bonding company paying for the completion of the project.

There being no further business, a motion was made by Mayor Hattan and seconded by Commissioner Robbins and duly carried that the City Commission meeting be adjourned to November 10, 1994 at 6:30 P.M.


Phillip H. Deneault
Deputy City Clerk

(Seal)

The City Commission met in adjourned session November 10, 1994 at 6:30 p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Letourneau and Robbins present. Absent: None.

Other Officers: City Manager Olsen, City Attorney Retter and City Clerk Lanoue.

Visitors present: James Mosher, James Wilson, Robert L. Steimel, Clay Randel, Jack Graves and Jim Lowell with the Blade-Empire.

EDA GRANT AGREEMENT

APPROVED

Manager Olsen told the Commission that we received notification on November 9, 1994 that we have been awarded \$120,500 to meet the Federal EDA matching requirements for the flood project in the Industrial Park. The total amount of the project is \$487,000. Of this money \$365,250 has been awarded from EDA and \$120,500 from the State of Kansas. The difference is \$1,250, which would be paid from the Industrial Development Fund. It is possible that this \$1,250 may never be spent. It is also possible that the Governor's letter contained an inaccurate figure. Greg suggested that we notify the County that we received \$120,500 from the State and the \$1,250 would be split evenly between the City and the County.

Commissioner Letourneau moved to authorize the Mayor to sign the EDA Grant Agreement. Mayor Hattan seconded. Motion carried unanimously.

There being no further business, Mayor Hattan moved to adjourn the meeting, and Commissioner Robbins seconded. The motion was unanimously carried.

Cheryl Lanoue
Cheryl Lanoue
City Clerk

(Seal)

The governing body of the City of Concordia, Kansas met in regular session at the City Commission Room in the City Hall, at 4:00 P.M. on November 16, 1994, the following members being present and participating, to-wit: Mayor Hattan presided

Absent: None

Other Officers: City Manager Olsen, City Attorney Retter and City Clerk Lanoue.

Visitors present: Lori Ada from KNCK/KCKS, Brad Lowell with The Blade-Empire, Brenda Sedlacek, Betty Losh, Robert Steimel, Jack Graves, Isadore Bombardier, Armand Balthazor.

Mayor Hattan declared that a quorum was present and called the meeting to order.

Minutes of the November 2, 1994 meeting were approved as written.

APPROPRIATION ORDINANCE NO. 21

APPROVED

Appropriation Ordinance No. 21 was approved according to law.

CONTRACT FOR THE SALE OF REAL ESTATE

AUTHORIZED

City Attorney Retter advised the Commission that the Lease Purchase Agreement and Base Lease were not completed. The City Attorney Retter also advised that the Purchase Contract for the Sale of the Real Estate has been signed by Scrivner of Kansas, Inc. and was needing the signature of the City Clerk and the Mayor. Commissioner Robbins moved that we authorize the Mayor and City Clerk to sign the Purchase Contract For The Sale of Real Estate. The motion was seconded by Commissioner Letourneau. Motion carried.

ENGINEER'S ESTIMATE ON THE REAL ESTATE

APPROVED

City Attorney Retter advised the Commission that the Engineer's Estimate of the \$512,000 was needing to be approved by the Commission. Commissioner Letourneau moved that we accept the engineer's estimate of \$512,000. The motion was seconded by Commissioner Robbins. Motion carried.

RESOLUTION NO. 1152 (A RESOLUTION OF THE CITY OF CONCORDIA, KANSAS, AUTHORIZING AND PROVIDING FOR THE REPLACEMENT OF A SEWER MAIN IN THE CITY; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.)

APPROVED

Thereupon, Commissioner Robbins moved that said Resolution be adopted. The motion was seconded by Commissioner Letourneau. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Aye: Robbins, Letourneau and Hattan.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 1152 and was signed by the Mayor and attested by the Clerk.

ACCEPTANCE OF 1993 AUDIT

Robert Steimel and Betty Losh from Kennedy and Coe, CPA's were present to answer any questions the Commission might have on the 1993 Audit. Robert Steimel was present at last week's work session to answer questions. Commissioner Letourneau moved to accept the 1993 Audit as presented by Kennedy and Coe, CPA's. The motion was seconded by Commissioner Robbins. Motion carried.

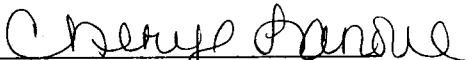
MANAGER'S REPORT

City Manager Olsen updated the commissioners on the current status of the T Hangars. The City is going to submit a claim to the contractors surety company since he stated that he was not going to return to the job site.

PUBLIC COMMENTS

Armand Balthazor wanted to know if the \$512,000 would cover the complete cost of the building, the addition for the fire department and the remodeling. Mayor Hattan said that this would cover all of it. Armand thought this was reasonable. Armand Balthazor also had a question on the Appropriation Ordinance #20. He thought that \$3,593 was expensive for seminars. Mayor Hattan told Armand that he would show him the seminars that he attended.

There being no further business, a motion was made by Commissioner Robbins and seconded by Commissioner Letourneau and duly carried that the City Commission meeting be adjourned to November 30, 1994 at 6:30 P.M..


Cheryl Lanoue
City Clerk

(Seal)

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MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD NOVEMBER 30, 1994

The City Commission met in adjourned session on November 30, 1994, at 6:30 p.m. in the City Commission Room in the City Hall. Mayor Hattan presided with Commissioners Letourneau and Robbins present. Absent: None.

Other Officers: City Manager Olsen, City Attorney Retter and City Clerk Lanoue.

Visitors present: Armand Balthazor and Brenda Sedlacek.

There being no business the commission went into study session.

There were discussions on the City Sanitary Sewer Policy, a status report on the Highway 81 widening and utility relocation, a proposed ordinance on the City's diversion program and the Pet Program.

There being no further business, Commissioner Robbins moved to adjourn the meeting, and Commissioner Letourneau seconded. The motion was unanimously carried.

Cheryl Lanoue
Cheryl Lanoue
City Clerk

(Seal)

The governing body of the City of Concordia, Kansas met in regular session at the City Commission Room in the City Hall, at 4:00 P.M. on December 7, 1994, the following members being present and participating, to-wit: Mayor Hattan presided with Commissioner Robbins and Letourneau.

Absent: None

Other Officers: City Manager Olsen, City Attorney Retter and City Clerk Lanoue.

Visitors present: Lori Ada from KNCK/KCKS, Brad Lowell with The Blade-Empire, Jim Wilson, James Mosher, Harley Adams and Armand Balthazor.

Mayor Hattan declared that a quorum was present and called the meeting to order.

Minutes of the November 10th, 16th and 30th meetings were approved as written.

APPROPRIATION ORDINANCE NO. 22

APPROVED

Appropriation Ordinance No. 22 was approved according to law.

ORDINANCE #2617

PASSED

Following the public hearing the following ordinance was presented.

An ordinance entitled "AN ORDINANCE IMPOSING A DIVERSION FEE ON PARTICIPANTS IN THE DIVERSION PROGRAM OF THE CITY ATTORNEY OF THE CITY OF CONCORDIA, KANSAS; AND PROVIDING THE DETAILS OF THE IMPOSITION, ASSESSMENT, AND COLLECTION AND REPORTING CONCERNING SAID FEE; AND AMENDING THE CONCORDIA CODE BY ADDING A SECTION, TO BE NUMBERED 16-11" was read and considered by the Commission.

On roll call upon its passage the following commissioners voted "Yea": Hattan, Robbins and Letourneau. "Nay": None. With all the commission'-elect voting in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2617.

CEMETERY MAP

APPROVED

City Manager Olsen explained to the commission that the planning commission has approved the cemetery map and requesting the city commission to approve it. Following discussion Commissioner Letoureau moved to approve the cemetery map. Commissioner Robbins seconded. Motion carried.

CURB & GUTTER PROJECTS

APPROVED

City Manager Olsen asked the commission to approve the final cost of the curb & gutter projects and to set a hearing date of December 21, 1994 for the following locations:

| | <u>FINAL COST</u> |
|----------------------------------|-----------------------|
| 446 W. 5th - Tim Wellendorf | \$7,458.64 |
| 720 Cedar - Wayne Switzer | 2,133.87 |
| 703 W 10th - Maude & Elsie Olson | 6,305.91 |
| 721 Olive - Beatrice Valcoure | 3,494.50 |
| 1502 Cedar - Helen Hansen | 5,124.78 |

Following discussion, Commissioner Robbins moved to approve the final cost of the curb & gutter projects and to set a hearing date of December 21, 1994 at 4:00 p.m. in the City Commission Room in the City Hall. Commissioner Letourneau seconded. Motion Carried.

TRACTOR BID AWARD

TABLED

Staff recommended that the commission accept the bid from Martin Tractor for the WWTF Tractor for the Treatment plant. Harley Adams, from Concordia Tractor explained to the commission why they should go with the tractor from Concordia Tractor. Following a discussion, Mayor Hattan announced that they would table the tractor bid award and have city staff look into test driving the tractor from Concordia Tractor and Martin Tractor.

TRAILER BID AWARD

ACCEPTED

Staff recommended that the commission accept the bid from Zeitlow Distributing Co. for the trailer because the pump has a 2 year warranty and the trailer has a full frame and the injectors pull off the trailer frame. Following discussion, Commissioner Robbins moved to accept the bid from Zeitlow Distributing Company. Commissioner Letourneau seconded. Motion carried.

WELL #22

ACCEPTED

Staff recommended the we accept the low bid on Well #22 from Clarke Well & Equipment. Following discussion, Commissioner Letourneau moved to accept the low bid from Clarke Well & Equipment. Commissioner Hattan seconded. Motion Carried.

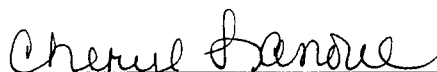
MANAGER'S REPORT

City Attorney Retter told the commission that the old downtown Boogaarts building is officially the City's as of December 2, 1994 and the engineering should be completed in the mid January, 1995.

PUBLIC COMMENTS

Armand Balthazor was in question about the six (6) checks totalling \$300 for boot reimbursement. Mayor Hattan said that this has been done for several years for the employee to pay for there work boots. City Manager Olsen also commented that at the end of the year Tom looks at his budget and if there is money left, Tom reimburses his employees for boots. This is mainly because of the slurry seal program.

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


Cheryl Lanoue
City Clerk

(Seal)

The governing body of the City of Concordia, Kansas met in regular session at the City Commission Room in the City Hall, at 4:00 P.M. on December 21, 1994, the following members being present and participating, to-wit: Mayor Hattan presided with Commissioner Letourneau.

Absent: Commissioner Robbins.

Other Officers: City Manager Olsen, City Attorney Retter and City Clerk Lanoue.

Visitors present: Lori Ada from KNCK/KCKS, Brad Lowell with The Blade-Empire, Jim Wilson, James Mosher, Harley Adams, Leland Orr, Isadore Bombardier and Armand Balthazor.

Minutes of the December 7th meeting was approved as written.

APPROPRIATION ORDINANCE NO. 23

APPROVED

Appropriation Ordinance No. 23 was approved according to law.

QUITCLAIM DEED

ACCEPTED

City Attorney Retter explained to the Commission that Scrivner was going to donate the land between Frank Carlson Library and the old Boogaarts, to the Frank Carlson Library. Commissioner Letourneau moved to accept the donation from Scrivner. Mayor Hattan seconded. Motion Carried.

DOOR BID AWARD

ACCEPTED

Staff recommended that the Commission accept the low bid from Solt Construction to install a door at the pump house building. Mayor Hattan moved to accept a low bid from Solt Construction to install a door at the pump house building. Commissioner Letourneau seconded. Motion Carried.

RESOLUTION NO. 1153(A RESOLUTION OF THE GOVERNING BODY OF THE
THE CITY OF CONCORDIA, KANSAS DETERMINING THE ADVISABILITY OF
ISSUING INDUSTRIAL REVENUE BONDS OF SAID CITY FOR THE PURPOSE
OF FINANCING THE ACQUISITION, CONSTRUCTION, REMODELING AND
EQUIPPING OF A COMMERCIAL FACILITY LOCATED IN SAID CITY.)

APPROVED

City Attorney Retter discussed that the principal amount should not exceed \$400,000.00 and was for construction of a new building. The resolution needed to be passed before year end for Brooke Financial Services to get a tax abatement.

Following discussion, Commissioner Letourneau moved to approve Resolution No. 1153. Mayor Hattan seconded. Motion Carried.

RESOLUTION NO. 1154(THE CONCORDIA RECREATION COMMISSION DESIGNATE
AGENTS TO WHOM THE SYSTEMS WRITTEN TRANSACTION AND COMMUNICATIONS
SHALL BE DIRECTED.)

APPROVED

City Manager Olsen explained to the Commission that UMB Bank is requesting a resolution authorizing for the City Clerk or City Treasurer and the Concordia Recreation Commission Treasurer to sign checks. Mayor Hattan moved to approve Resolution No. 1154 authorizing the City Clerk or City Treasurer and the Recreation Commission Treasurer to sign checks. Commissioner Letourneau seconded. Motion Carried.

FLEXIBLE COMPENSATION PLAN

AUTHORIZED

City Manager Olsen explained to the Commission the flexible compensation plan and that there probably would be between 20 and 25 employees interested in this. That the savings on FICA would pay for the administrative cost. Commissioner Letourneau moved to authorize the City Manager to enter into an agreement with SS & G Administrators, Inc. of Wichita to provide Third Party Administrative services. Mayor Hattan seconded. Motion Carried.

TRACTOR BIDS

ACCEPTED

City Manager Olsen told the Commission that the staff had looked at the Ford and the John Deere and the staff recommended the tractor from Martin Tractor.

Harley Adams, Concordia Tractor, Inc., wanted to point out that there are two areas that that the John Deere has that the Ford does not. One is the control of the tractor unit and the other is safety. Harley also suggested that if we ever go to trade the tractor in the John Deere has a better resale value. Mayor Hattan told Harley that when we look at bids, we look at three things: location of bidder, are they local, the low bid and staff recommendations.

Following discussion, Commissioner Letourneau moved to accepted the proposal from Martin Tractor for a 1 year lease of \$12,000.00 and a purchase price of \$67,883.00. Mayor Hattan seconded. Motion Carried.

ASSESSMENT HEARING CG-94-OLSON, WELLENDORF, SWITZER, HANSEN AND
VALCOURE

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 improvements:

Curb & Gutter replacement at the following locations 1502 Cedar,
703 W 10th, 720 Cedar, 721 Olive, and 446 W 5th, all in the City
of Concordia, Cloud County, Kansas.

as authorized by Resolution No. 1145, 1146, 1147, 1148 and 1149 respectively of this Governing Body adopted August 17, 1994, and to hear written or oral objections thereto. The Governing Body determined that the 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 during the hearing to object to the projects.

Mayor Hattan moved, seconded by Commissioner Letourneau and duly carried by the affirmative vote of all the members-elect of the Commission to the hearing and to approve the proposed assessments in the amounts set out against the lands described in the assessment roll as provided by K.S.A. 12-61a0, as amended.

APPOINTMENT TO BOARD OF ZONING APPEALS

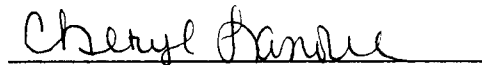
APPROVED

City Manager Olsen advised the Commission that one term on the Board of Zoning Appeals expires January 1995. Lee Lowell, already serving on the Commission, has agreed to continue on the Board of Zoning Appeals for another term to expire January 2001. Mayor Hattan moved to accept the reappointment of Lee Lowell to the Board of Zoning Appeals. Commissioner Letourneau seconded the motion. Motion Carried.

MANAGER'S REPORT

City Manager Olsen advised the Commission that he has called the Security Bond on the T-Hanger Project. That we received a quote on workers' compensation for the League of Kansas Municipalities, which was \$24,000 less then last year.

There being no further business, Mayor Hattan moved to adjourn the meeting to December 28, 1994 at 6:30 p.m. Commissioner Letourneau seconded. Motion Carried.


Cheryl Lanoue
City Clerk

(Seal)

The governing body of the City of Concordia, Kansas met in adjourned session in the City Commission Room in the City Hall, at 6:30 P.M. on December 28, 1994, the following members being present and participating, to-wit: Mayor Hattan presided with Commissioner Letourneau and Robbins.

Absent: City Manager Olsen.

Other Officers: City Attorney Retter and City Clerk Lanoue.

Visitors present: Leland Orr, Craig Ashton and Walt Huber.

APPROPRIATION ORDINANCE NO. 24

APPROVED

Appropriation Ordinance No. 24 was approved according to law.

RESOLUTION NO. 1155 (A RESOLUTION OF THE GOVERNING BODY
OF THE CITY OF CONCORDIA, KANSAS DETERMINING THE
ADVISABILITY OF ISSUING INDUSTRIAL REVENUE BONDS
OF SAID CITY FOR THE PURPOSE OF FINANCING THE
ACQUISITION, CONSTRUCTION, REMODELING AND EQUIPPING
OF A COMMERCIAL FACILITY LOCATED IN SAID CITY.)

APPROVED

City Attorney Retter explained to the Commission that the intended resolution need to be passed before year end to insure availability of IRB financing and property tax exemption for the life of the bond issue. That some of the IRB proceeds would be used to acquire the city tract. Demolition costs are estimated at \$42,500. The purchase price has been tentatively set at \$92,500 with the City being responsible for razing the existing building.

Following discussion, Commissioner Robbins moved to approve Resolution No. 1155. Commissioner Letourneau seconded. Motion Carried.

1995 CITY LICENSES

APPROVED

City Clerk Lanoue submitted the following licenses for the Commission's approval.

1995 ELECTRICAL LICENSE LIST

| Receipt Number | Business | Proof of Insurance | Completed Application | Amt. Paid |
|-------------------|--|-----------------------|--------------------------|--------------|
| 15237 | USD #333, 217 W. 7th | X | X | 20.00 |
| 15182 | Jack Roney, 510 W. 6th | X | X | 20.00 |
| 15278 | Rite Way Laundry, 217 W. 3rd | X | X | 20.00 |
| 15142 | Gale W. Newton, 703 E. 11th | X | X | 20.00 |
| 15200 | Nazareth Convent, 13th & Washington | X | X | 20.00 |
| 15205 | Dan Huff, Jewell, 1405 Lincoln | X | X | 20.00 |
| 15284 | Jerry's Electric, 103 E. 6th | X | X | 20.00 |
| 15223 | Izzy's Htg & A/C, 115 E. 13th | X | X | 20.00 |
| 15261 | George Greenwood, 621 W. 6th | X | X | 20.00 |
| 15162 | Conn's TV & Appliance, 106 W. 6th | X | X | 20.00 |
| 15279 | CCCC, 2221 Campus Drive | X | X | 20.00 |
| 15144 | Clark Plumbing, 120 W. 6th | X | X | 20.00 |
| 15184 | Damon Christensen Electric, 236 Strain | X | X | 20.00 |
| 15180 | Demanette Appliance, 128 E. 6th | X | X | 20.00 |
| 15145 | Rex Swihart, Jr., Rt. 3 | X | X | 20.00 |
| 15246 | BG Construction, 1704 Olive | X | X | 20.00 |
| 15236 | Mt. Joseph, 1110 W. 11th | X | X | 20.00 |
| 15225 | R F Fakler, Rt. 2 | X | X | 20.00 |
| 15215 | St. Joseph Hospital, 1100 Highland | X | X | 20.00 |
| 15167 | Norman Hayden, 1016 Broadway | X | X | 20.00 |
| 15179 | Tom Hamel, Clyde, KS | X | X | 20.00 |
| 15175 | Don/Galen Deneault, 1715 Cedar | X | X | 20.00 |
| 15132 | Bob's Plumbing (Bob Dykes) | X | X | 20.00 |
| 15224 | Joseph Strecker/Strecker, Inc. | X | X | 20.00 |
| 15159 | Whitney Plb., 127 E. 6th | X | X | 20.00 |
| 15133 | Sunset Home, 610 2nd Ave. | X | X | 20.00 |
| 15177 | Dan Conn, 1707 E. 7th | X | X | 20.00 |
| 15201 | Roger Demanette, 602 W. 9th | X | X | 20.00 |
| 15266 | John Hood/Ralph Hood Contractors | X | X | 20.00 |
| 15233 | Basil Tate/Tate Electric, Clyde | X | X | 30.00 |
| 15245 | Chris Stupka, 106 W. 17th | X | X | 20.00 |

1995 LICENSES

| <u>Receipt Number</u> | <u>Business</u> | <u>Amount Paid</u> |
|---------------------------|---------------------------------|------------------------|
| <u>CLASS B BEER</u> | | |
| 15199 | Hillcrest Lanes, 1909 Lincoln | 150.00 + 25.00 |
| 15188 | American Legion, 506 Washington | 150.00 + 25.00 |
| 15250 | Country Honky Tonk, 418 Bdwy. | 150.00 + 25.00 |
| 15147 | Pizza Hut, 1431 E. 6th | 150.00 + 25.00 |
| 15243 | Champs Lounge, 85 Lincoln | 150.00 + 25.00 |
| 15234 | Jammer's Sports Pub & Grille | 150.00 + 25.00 |

CLASS A BEER

| | | |
|-------|------------------------------------|---------------|
| 15257 | Larry's Food Store, 307 W. 6th | 50.00 + 25.00 |
| 15211 | Boogaarts, 1620 Lincoln | 50.00 + 25.00 |
| 15153 | Love's Country Store, 1301 Lincoln | 50.00 + 25.00 |
| 15263 | 81 Conoco, 137 E. 7th | 50.00 + 25.00 |
| 15148 | EZ Shop, 203 E. 6th | 50.00 + 25.00 |
| 15160 | Short Stop, 1020 Lincoln | 50.00 + 25.00 |
| 15234 | Jammer's Sports Pub & Grille | 50.00 + 25.00 |

SEWER/PLUMBER & GAS INSPECTORS

| | | |
|-------|--|-------|
| 15223 | Izzy's Plb/Htg., 115 E. 13th | 30.00 |
| 15144 | Clark Plb/Htg., 120 W. 6th | 30.00 |
| 15180 | Demanette Appliance, 128 E. 6th | 30.00 |
| 15284 | Jerrold Olssen, 103 E. 6th | 30.00 |
| 15205 | Jewell Plumbing, 1405 Lincoln | 30.00 |
| 15132 | Bob Dykes | 30.00 |
| 15266 | Ralph Hood Contractors, 1609 E. 7th | 30.00 |
| 15214 | Gallagher Plumbing, Clyde, KS | 30.00 |
| 15261 | Greenwood Repair, 621 W. 6th | 30.00 |
| 15278 | Rite Way Laundry, 217 W. 3rd | 30.00 |
| 15159 | Whitney Plumbing, 127 E. 6th | 30.00 |
| 15224 | Strecker, Inc., 218 W. 5th | 15.00 |
| 15201 | Roger Demanette, 602 W. 9th | 30.00 |
| 15176 | J & N Elliott, Morrowville | 30.00 |
| 15237 | USD #333 | 30.00 |
| 15200 | Nazareth Convent, Box 279 | 30.00 |
| 15215 | St. Joseph Hospital, 1100 Highland | 30.00 |
| 15210 | Sunflower Lawn Care, 604 Industrial Road | 15.00 |
| 15209 | The Water Works/Doug Moe, W. 18th | 30.00 |
| 15233 | Basil Tate, Tate Electric, Clyde, KS | 30.00 |

APPOINTMENT TO PLANNING COMMISSIONLaDONNA PELTIER

The staff submitted a recommendation to the Commission to appoint LaDonna Peltier to the Planning Commission. Commissioner Robbins moved to approve the appointment with her term to run from 11-1-94 to 11-1-97. Commissioner Letourneau seconded. Motion carried.

KMIT - WORKERS COMPENSATIONDISCUSSION

City Attorney Retter explained to the Commission that KMIT is a group funded insurance pool designed to provide workers compensation coverage to municipal pool members. The KMIT quote for 1995 is around \$36,000 and Allied, the current carrier quote was \$42,600. Leland Orr, from Brooke Financial Services, advised the Commission that their quote was \$42,600 for 1995. One reason that the quote was lower was that the experience number for the City was .98 drop to .84 for 1995. Mayor Hattan asked if the experience number was on the City or the Group as a whole for workers compensation. Craig Ashton, from Brooke Financial Services, advised him that the experience number was on the City for a one year period and this is what the dividend would be based on for 1995. Following discussion, Commissioner Letourneau moved we not join KMIT and to stay with the current carrier, Allied. Commissioner Robbins seconded. Motion carried.