

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 15, 1997**

The governing body met in regular session on January 15, 1997, at 4:00 p.m. in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioner Robbins and Bombardier. Commissioner Hattan coming in at 4:12 p.m.

Absent: None.

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

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

Visitors: Lori Ade, Brad Lowell, Robert Burns, Ken Campbell, Armand Balthazor, Martha Channel, George Miller, Rick Breault, Donna Breault, Dale Lervold, Shannon Senwindt, Rick Breault Jr, Betty Losh, Robert L. Steimel, Marie Dale and Lee Doyen.

Minutes of the December 18, 1996, regular meeting were approved as written.

### **APPROPRIATION ORDINANCE NO. 24**

**APPROVED**

Appropriation Ordinance No. 24 was approved according to law.

### **FOURTH QUARTER INVESTMENT REPORT**

**ORDERED PLACED ON FILE**

Acting City Manager Sedlacek presented the fourth quarter investment report for 1996 per Ordinance No. 1860. Total interest received for the fourth quarter was \$57,127.33 compared to \$58,942.79 for 1995. Following discussions, Commissioner Hattan moved to place on file the fourth quarter investment report. Commissioner Bombardier seconded. Motion carried.

### **FINAL COST FOR CG-96-BOMBARDIER**

**APPROVED**

Acting City Manager Sedlacek presented to the Governing Body the final cost on CG-96-Bombardier project. The cost was determined to be \$2,876.09, with 75% to the district and 25% to the city. Following discussion, Commissioner Hattan moved to approved final cost of \$2,876.09. Commissioner Robbins moved to seconded. Commissioner Bombardier abstained. Motion carried.

### **PUBIC HEARING - CG-96-BOMBARDIER**

**HELD**

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

Curbing and guttering along the North edge of the improved surface of 13th Street adjacent to the following described real estate: The East Half (E 1/2) of the North Sixty (60)feet of Lot Sixteen (16), and the West Twenty-six and Five Tenths (26.5) feet of the North Sixty (60) feet of Lot Seventeen (17), in Block Sixty-nine (69), in the City of Concordia, Cloud County, Kansas; and All of Lots Fourteen (14) and Fifteen (15) and the West Half (W 1/2) of Lot Sixteen (16), in Block Sixty-nine (69), in the City of Concordia, Cloud County, Kansas; and a tract of land adjoining said lots on the South, in the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section Four (4), Township Six (6) South, Range Three (3) West of the Sixth Principal Meridian, in Cloud County, Kansas, described as follows: Beginning at the Southwest corner of Lot Fourteen (14); thence South Forty-four (44) feet, more or less, to the North Line of Thirteenth Street in said City of Concordia, if extended eastward; thence East along said extended North Line of Thirteenth Street, One Hundred Ten (110) feet; thence North Forty-four (44) feet, more or less, to the Southeast corner of the West Half (W 1/2) of said Lot Sixteen (16); thence West One Hundred Ten (110) feet, more or less, to the point of beginning, all in the City of Concordia, Cloud County, Kansas (the "Improvements").

as authorized by Resolution No. 1189 by the Governing Body adopted September 4, 1996 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 owner 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.A. 12-6a09(b).

No one was present on the improvement district. Commissioner Hattan moved to close the hearing. Commissioner Robbins seconded. Commissioner Bombardier abstained. Motion carried.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 15, 97 CONT**

**ASSESSMENT ORDINANCE NO. 2667(CG-96-BOMBARDIER)**

**PASSED**

An Ordinance entitled "AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENT THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF CONCORDIA, KANSAS" was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Robbins and Hattan. "Nay": None. "Abstain": Commissioner Bombardier. With all of the Commission-elect having voted in favor thereof, the ordinance was declared passed, the titled agreed to and the city clerk assigned to it No. 2667.

**ACCEPTANCE OF 1995 AUDIT**

Robert Steimel from Kennedy and Coe advised the commission that the City created one new fund, Vehicle Replacement Fund and closed two, Special Street Machinery Reserve Fund and Water/Sewer Special Equipment Replacement Fund. That the City had violations inasmuch as expenditures exceeded budget authority in the Library Fund, Noxious Weed Fund, Library Employee Benefit Fund, Bond and Interest Fund and Water and Sewer Special Equipment Fund.

Commissioner Hattan asked what the \$479,037 of additional encumbrances consisted of. Robert Steimel advised that it was roughly wages payable of \$35,000, projects of \$10,000, Utilities of \$20,000, \$23,000 on sewer project, \$199,000 on EDA contract and \$74,000 on Bucher Willis. Commissioner Hattan also asked about the time frame for the 1996 audit. Robert Steimel advised hopefully it will be finished at the end of July. He also advised the commission that the 1996 audit was the last on the contract and the Firm has made the decision not to do auditing. Commissioner Hattan also then asked about the General Fund Personnel Cost, why they were all over budget? Robert Steimel advised that the budget figures were lower than normal.

**ORDINANCE NO. 2668(ALLEY VACATION)**

**PASSED**

Acting City Manager Sedlacek advised the commission that Ben Budreau was requesting that the City vacate the alley between Lot 1 and 6 in block 6.

An Ordinance entitled "AN ORDINANCE PURSUANT TO K.S.A. 14-423, ET SEQ., AS AMENDED, VACATING THE HEREINBELOW DESCRIBED TRACT OF REAL ESTATE SITUATED IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF" was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Robbins, Bombardier and Hattan. "Nay": None. With all of the Commission-elect having voted in favor thereof, the ordinance was declared passed, the titled agreed to and the city clerk assigned to it No. 2668.

**LICENSE AGREEMENT(CLOUD COUNTY COMMUNITY COLLEGE)**

**APPROVED**

Acting City Manager Sedlacek advised the commission that she had received a letter from Dan Erbert, with Cloud County Community College, requesting a license agreement. The College wants to install conduct and cable to connect their computer network. Staff has reviewed the request and does not have any problems with it. Commissioner Bombardier felt that the piping should be a 4" heavy duty galvanized pipe. Following discussion, Commissioner Bombardier moved to authorize the Mayor and City Clerk to sign the license agreement with Cloud County Community College. Commissioner Hattan seconded. Motion carried.

**NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PERMIT COMPLIANCE(BUCHER, WILLIS AND RATLIFF)**

**APPROVED**

Acting City Manager Sedlacek advised the commission that in order to comply with our current NPDES Permit, the city must be able to achieve compliance with the final effluent limitations according to the following schedule:

1. Permittee must submit an approvable engineering report and design notes by February 1, 1997.
2. Permittee must submit engineering plans and specifications for plant upgrade by June 1, 1997.
3. Permittee shall award construction contract for improvement no later than September 1, 1997.
4. Permittee shall achieve substantial completion of construction for improvements by May 1, 98.
5. Permittee shall achieve compliance with final effluent limits within 3 months of substantial completion date.

On December 19, 1996, Commissioner Bombardier, the Wastewater Treatment staff and the Acting City Manager interviewed the following:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 15, 97 CONT

<u>ENGINEERING FIRMS</u>	<u>STUDY COST</u>	<u>DESIGN ESTIMATE</u>
Professional Engineering Consultants	\$5,000	8-10%
Wilson & Company	5,000 - 7,000	8-10%
Bucher, Willis & Ratliff	3,000 - 5,000	8-10%
White, Martin & Associates	6,500	8-10%

Staff is recommending that the Commission authorize the Acting City Manager to negotiate an engineering services contract with Bucher, Willis and Ratliff for the Wastewater Treatment Plant Study and Report to KDHE not to exceed \$5,000. Following discussion, Commissioner Bombardier moved to authorize the Acting City Manager to negotiate an engineering services contract with Bucher, Willis and Ratliff for the Wastewater Treatment Plant Study and Report to KDHE not to exceed \$5,000. Commissioner Robbins seconded. Motion carried.

PUBLIC COMMENTS

Armand Balthazor asked how the city did the budget when the audit was so late. Commissioner Hattan advised that Kennedy and Coe gave the city the figures that were needed for the budget. Armand also asked for the break down of the checks to Rite-Way Laundry and the City Clerk's cash drawer.

Lee Doyen advised the commission that the school signs were still not correct, at any of the schools except for the new school.

Mayor Robbins asked Mr. Breault if he had any comments? Mr. Breault stated that there were advised not to say nothing.

At this time Mayor Robbins announced that we would be having cake for Commissioner Bombardier's birthday and after this the commission would be going into executive session.

COMMISSION INTO EXECUTIVE SESSION

At this time Mayor Robbins moved that the Commission recess into executive session to discuss non-elected personnel, until 6:30 p.m. Commissioner Hattan seconded. Motion carried. Time: 5:15 p.m.

The commission reconvened at 6:30 p.m.

Mayor Robbins moved to recess for an additional 30 minutes to continue the discussion of non-elected personnel issues. Commissioner Bombardier seconded. Motion carried. Time: 6:30 p.m.


The commission reconvened at 7:00 p.m.

Mayor Robbins moved to recess for an additional 30 minutes to continue the discussion of non-elected personnel issues. Commissioner Hattan seconded. Motion carried. Time: 7:00 p.m.

The commission reconvened at 7:30 p.m.

Mayor Robbins announced that the Commission had been discussing non-elected personnel and no action had been taken.

There being no further business, Commissioner Hattan moved to adjourn the meeting to January 22, 1997, at 6:30 p.m. at the City Commission Room in the City Hall. Commissioner Bombardier seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JANUARY 22, 1997**

The governing body met in adjourned session on January 22, 1997, at 6:30 p.m. in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioner Robbins, Bombardier and Hattan.

Absent: None.

Other Officers: Acting City Manager Sedlacek and City Clerk Lanoue.

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

Visitors: Robert Burns, Armand Balthazor, Marie Dale, Burl Maley, Kirk Lowell, Peggy and Lee Doyen.

Minutes of the January 15, 1997, regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 1

APPROVED

Appropriation Ordinance No. 1 was approved according to law.

APPOINTMENTS TO BOARD OF ZONING APPEALS    GEORGE CHAMPLIN & KAREN DUNLAP

Acting City Manager Sedlacek advised the commission that the terms of George Champlin and Karen Dunlap expired on January 19, 1997, and that both have been contacted and indicate a willingness to be reappointed. Following discussion, Commissioner Bombardier moved to appoint George Champlin and Karen Dunlap for three (3) year terms. Commissioner Robbins seconded. Motion carried.

MANAGER'S REPORT

Acting City Manager Sedlacek advised the commission that the Rite-Way bill, on the Appropriation Ordinance #24 there were new uniforms purchased for the Street, Utilities and Fire Departments. She also advised that Gene Leonard had called her about the way the bill was reported and wanted her to set the record straight.

Acting City Manager Sedlacek advised the commission that there is a detailed budget and a state budget. The auditors use the state budget forms. The state budget forms show employee health as a department, instead of in the department where we transfer the amount from.

POLICE RELOCATION OPTIONS

DISCUSSION

Acting City Manager Sedlacek advised that the City Commission is considering two options for relocating the police department to the new City Hall premises. One option is to build a 30' x 70' addition on to the East of the fire station and the other option involves remodeling which would utilize the community room and a portion of the Commission Chamber.

Commissioner Hattan advised that we should have them for viewing to the public and they could make comments at the next regular meeting.

Lee Doyen wanted to know what the problem was with the two, the police and county?

Commissioner Robbins advised that there wasn't a problem, just that the Chief of Police would be taking on additional duties.

Commissioner Hattan advised that the space is tight at the county building and that we are looking at combining the Police and Fire Departments.

Lee Doyen advised that he was not going to let the city take land from the library, since the library is planning to expand in the future.

At this time Commissioner Bombardier and Bob Burns went out to measure the lot. Upon return, Commissioner Bombardier advised that there were 60' and the city would need 10' if they go with the addition, which would leave them 50' to expand.

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JAN. 22, 1997 CONT.**

**PUBLIC COMMENTS**

Armand Balthazor asked about the plans for the dispatch center. Commissioner Hattan advised that there were plans and the plans would be available for the public to view, at City Hall.

Mayor Robbins announced that the Commission will begin the February 5, 1997 regular meeting at 3:30 p.m. at the site of the new Concordia sign for the new flag pole dedication ceremony and will return to Commission Chambers following.

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

Cheryl Lanoue  
Cheryl Lanoue  
City Clerk

(Seal)

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 5, 1997

The governing body met in regular session on February 5, 1997, at 3:30 p.m. at the new Concordia sign, at the Concordia Airport Park, the following members being present and participating, to wit: Commissioners Robbins, Bombardier and Hattan.

Absent: None.

Other Officers: Acting City Manager Sedlacek, City Attorney Retter and Deputy City Clerk Deneault.

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

Visitors: Lori Ade, Brad Lowell, Robert Burns, Armand Balthazor, William Matthes, Ruth Matthes, Dorothy Schuyler, George Champlin, Charles Jewell, Marie Dale, Mr & Mrs Thaine Maish, Ralph Chubback, Bud Kennedy, Pat Cox, Lawrence Cox, Marvin Petersen, Harriet Goff, Marilyn Johnston, Gary Reynolds, Roland Kalivoda, LJ Ruzicka, Annamary Naylor, Nancy Reynolds, Jean Swiercinsky, Jake Swiercinsky, JE Rodgers, Harriet Wahl, Ken Harrington, Peggy Doyen, Denise DeRocheffort Reynolds, Doug Herman, Warren Ostrom, Dorothy Ostrom, Lee Doyen, Jack Gould, Kirk Lowell, Harold Severance, Joe Gerard, Gail Engle, Robert Burns, Burl Maley, Armand Racette, Rick Cairns, George Meyers, Paul Johnson, Don Cart, Larry Blochlinger, Nancy DeArmond, Ima Jean Chavey, Fred Dunshie, Wilbur Naylor, Mickey Powell, Doug Musick.

### SPENCER OLSON'S EAGLE SCOUT FLAG POLE

At this time Spencer Olson, Eagle Scout Troop 31, gave a flag pole dedication service, with the VFW and American Legion Color Guards present.

Mayor Robbins announced that the meeting would adjourn to City Hall at this time.

Mayor Robbins called the meeting to order.

Minutes of the January 22, 1997, adjourned meeting were approved as written.

### APPROPRIATION ORDINANCE NO. 2

APPROVED

Appropriation Ordinance No. 2 was approved according to law.

### APPOINTMENT TO RECREATION COMMISSION

TOM GENNETTE

Acting City Manager Sedlacek advised the commission that the term of Carrie Berner on the Recreation Commission had expired and she is not interested in being reappointed. Staff contacted Tom Gennette and he is interested in serving on the Recreation Commission. Staff is recommending that Tom Gennette be appointed for a three year term. Commissioner Bombardier moved to appoint Tom Gennette to the Recreation Commission for a three year term. Commissioner Hattan seconded. Motion carried.

### ENGINEERING AGREEMENT (WWTP REPORT TO KDHE)

BUCHER, WILLIS & RATLIFF

Acting City Manager Sedlacek advised the commission that on January 15, 1997 Commission meeting, the commission authorize the City Manager to negotiate an engineering agreement with Bucher, Willis & Ratliff to prepare and submit an engineering report and design notes to KDHE. The contract amount is \$3,750. Staff is recommending that the Commission authorize the Mayor and City Clerk to sign the engineering services agreement with Bucher, Willis & Ratliff. Following discussion, Commissioner Hattan moved to authorize the Mayor and City Clerk to sign the engineering services agreement with Bucher, Willis & Ratliff. Commissioner Bombardier seconded. Motion carried.

### ENGINEERING AGREEMENT(WL/SL-96-HIGHWAY 81)

CAMPBELL & JOHNSON

Acting City Manager Sedlacek advised the commission that Campbell & Johnson provided the city with two (2) separate agreements for construction engineering services related to the US 81 water and sewer utility relocation project as follows:

Agreement #1 - Is for the construction engineering services for all of the utility relocation project except 13th Street to Court Street. Contract amount is \$55,999.78.

Agreement #2 - Is for the construction engineering services for 13th Street to Court Street. This will be reimbursed by KDOT. Contract amount is \$8,998.74.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEB. 5, 1997 CONT**

Staff is recommending that the City Commission authorize the Mayor and City Clerk to sign both construction engineering services agreements. Following discussion, Commissioner Bombardier moved to authorize the Mayor and City Clerk to sign construction engineering services agreement #1 and #2. Commissioner Hattan seconded. Motion carried.

**POLICE RELOCATION OPTIONS**

**DISCUSSION**

Commissioner Robbins advised that he received several phone calls on the option that Belleville is considering and this is not an option here. Commissioner Robbins advised that there are two options. One is to add on and the other is to remodel the present city hall.

Commissioner Hattan advised that we are going to create a Department of Public Safety and hopefully this will create a savings. Commissioner Hattan advised that he revised a remodel plan, that has not been approved by anyone, but himself. Commissioner Hattan went through the plans.

Fred Dunshie advised that he would like to see the plot plans published in the paper, for the public input.

Nancy Reynolds ask why this was being discussed now, why was this not thought of when this building was purchased?

Commissioner Robbins advised that he wished that the commissioners would have thought of this a year ago.

Commissioner Hattan advised that this idea came up when the commission was looking at combining the police and fire departments.

Jean Swiercinsky, President of the Library Board, asked that no binding action be taken under Option A. Since the library has had no official communication from the city commissioners concerning the intention of the library, she felt that a one on one discussion would be very beneficial.

Armand Balthazor suggested that we put the dispatcher center be put in the commission room. The city has a conference room, that could be used as an office. There is an attorney's room that could be used for this project. He recommended that the present fire chief's room be the police chief's room. Armand suggested that zoning be under another department head, to make available another office. Armand also felt that the Director of Utilities should be at the plant/shop. Armand felt that there is all kinds of room at the current City Hall. Armand also stated that he didn't think it was necessary to tear up the meeting room and put something else in there. Armand felt that Belleville had a plan to combine County and City Law Enforcement Center. He advised that it's a plan and that is what is wrong with our city, we didn't ever have a plan. Armand felt that building an addition is a waste of money.

Commissioner Robbins advised that no decision would be made at this meeting, the reason for it was to hear from the people.

Commissioner Bombardier advised that the commission would talk to the library before they do anything.

Commissioner Robbins advised that police and dispatch are coming over here. The Commission is trying to decide what option to go with.

Denise DeRocheFort Reynolds, Director of the Frank Carlson Library, advised that the library board and city commission have had an excellent relationship all the years she has been director. She expressed the library has plans for expansion and would like to share them with the commission.

**POLICE CAR 1997 BID AWARD**

**BABE HOUSER MOTOR**

Acting City Manager Sedlacek advised the commission that the city received one (1) bid as follows:

**TABULATION SHEET  
POLICE DEPARTMENT VEHICLE BID**

DATE: 1-30-97

TIME: 12:00P.M.

	ALT #1 WITH TRADE-IN	ALT #2 WITHOUT TRADE-IN
BABE HOUSER MOTOR CO., INC.	17,805.00	19,305.00

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEB. 5, 1997 CONT**

Following discussion, Commissioner Hattan moved to accept the low bid from Babe House Motor, Inc., but to advertise the 1991 Chevy Lumina. If the bids come in at more than \$1500 then the city would go with Alt#2, without trade-in, if they come in under the \$1500 amount then go with Alt #1, with trade-in. Commissioner Bombardier seconded. Motion carried.

**PUBLIC COMMENTS**

Kirk Lowell, Cloudcorp, updated the commission on a possible housing project for Concordia. Retro Development, Inc. is considering two story duplexes for families and also considering building single story duplexes for senior, handicap and/or single families. They are interested in building on the east side of town, by the water tower. The total project would be roughly \$1.6 million and would go on the tax rolls. Rental rates would be around \$350 a month with maintenance. If the City is willing to engage in this project the City and Housing Authority would have to provide support for the project.

**COMMISSION COMMENTS**

Commissioner Bombardier asked that Acting City Manager Sedlacek and City Attorney Retter arrange a meeting with the library board. Acting City Manager Sedlacek asked if February 12, 1997 at 6:30 would work. The library board agreed to meet at that time.


**COMMISSION INTO EXECUTIVE SESSION**

At this time Commissioner Hattan moved that the Commission recess into executive session to discussion attorney client privileges, until 5:50p.m. Commissioner Robbins seconded. Motion carried. Time: 5:42p.m.

The commission reconvened at 5:50p.m.

Mayor Robbins announced that the Commission had been discussion attorney client privileges and no action had been taken.

There being no further business, Commissioner Robbins moved to adjourn the meeting to February 12, 1997, at 6:30 p.m. at the City Commission Room in the City Hall. Commissioner Bombardier seconded. Motion carried.

  
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Phil Deneault  
Deputy City Clerk

(Seal)



**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD FEBRUARY 12, 1997**

The governing body met in adjourned session on February 12, 1997, at 6:30 p.m. in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioner Robbins, Bombardier and Hattan.

Absent: None.

Other Officers: Acting City Manager Sedlacek and City Clerk Lanoue.

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

Visitors: Robert Burns, Armand Balthazor, Marie Dale, Burl Maley, Kirk Lowell, Peggy Doyen, Tom Fisher, Judith McKee, Walt Huber, Marilyn Johnston, Jean Swiercinsky, Janice Engle, Denise DeRocheffort Reynolds, Jim Winter, Nancy DeArmond, Ken Harrington, Ken and Nancy Esau and Jack Gennette.

CLOUDCORP HOUSING PROJECT - LETTER OF SUPPORT

APPROVED

Kirk Lowell advised the commission that Retro Development, Inc. was interested in building some duplexes in Concordia. The project estimate cost would be around 1.6 million that would go on the tax roles. The Retro Development Company would need a letter of support from the commission. Following discussion, Commissioner Hattan moved to authorize the mayor to sign a letter of support for Retro Development. Commissioner Bombardier seconded. Motion carried.

APPRECIATION FOR WORK AT SPORTS COMPLEX

TOM FISHER

Mayor Robbins presented Tom Fisher with a plaque for his work and dedication at the Sports Complex.

MANAGER'S REPORT

Acting City Manager advised the commission that Larry Remmenga would be the new Director of Utilities. Larry's first day would be February 14, 1997.

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

Cheryl Lanoue  
Cheryl Lanoue  
City Clerk

(Seal)

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 19, 1997

The governing body met in regular session on February 19, 1997, at 4:00 p.m. in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioners Robbins, Bombardier and Hattan.

Absent: None.

Other Officers: Acting City Manager Sedlacek and City Clerk Lanoue.

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

Visitors: Brad Lowell, Joe Jindra, Robert Burns, Marie Dale, Cassandra Carter, Tom Fisher, Burl Maley, Peggy and Lee Doyen, Larry Remmenga, Jim Coash and Armand Balthazor.

Minutes of the February 5th and 12th meeting were approved as written.

### APPROPRIATION ORDINANCE NO. 3

APPROVED

Appropriation Ordinance No. 3 was approved according to law.

### WEST PLAINS PROPOSAL

DISCUSSION

Jim Coash was present to discuss the option of the city replacing street lights on Highway 81, with steel poles, after the construction is finished. Coash advised that the lights would be on the west side approximately 150 to 200 feet apart. We currently have 35 lights and he would increase it to 43 lights, adding 3 at 1st street and going out to F & A Food Sales. Coash advised that the cost would be approximately \$100,000 and would offer the city two options as follows:

1. Westplains would pay the \$100,000 up front, which would increase the city's monthly utility bill by 13% or approximately \$582.00 a month.
2. The City could elect pay \$22,205 up front to Westplains, which would increase the city's monthly utility bill by 4% or approximately \$183.00 a month.

Coash advised that they would need to know by 1998, which option the city would go with.

### POLICE DEPARTMENT RELOCATION(REMODEL)

APPROVED

Acting City Manager Sedlacek asked the commission if they needed any additional information from staff on the addition or remodel plan of City Hall.

Commissioner Hattan asked for comments on his plans.

Acting City Manager Sedlacek advised that the storage and evidence room would not work well being combined.

Commissioner Hattan asked Chief of Police Maley what was in the evidence and storage room.

Chief of Police Maley advised that the evidence room needed a sink, bench and there would be dirty packaging material. The storage room would contain firearms and training equipment.

Commissioner Hattan advised that we could put the storage/evidence in the basement.

Acting City Manager Sedlacek advised that there wasn't that much room in the basement, with the Director of Public Works' sign machine and materials at one end, all the records in the middle and the control access for the police department at the other end.

Following discussion, Commissioner Robbins moved that the city remodel the existing facility to house the police department. The motion was seconded by Commissioner Hattan. Said motion was carried by a vote of the governing body with the vote being as follows:

Aye: Commissioner Robbins and Hattan.

Nay: Commissioner Bombardier.

### MANAGER'S REPORT

Acting City Manager Sedlacek introduced the new Director of Utilities, Larry Remmenga.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEB. 19, 97 CONT.**

**PUBLIC COMMENTS**

Armand Balthazor advised that using the community room would be 100 square feet less than the addition.

Commissioner Hattan advised that the community room was only 22 feet wide and that Armand must have been looking at one of the remodel options.

**COMMISSION INTO EXECUTIVE SESSION**

At this time Commissioner Robbins moved that the Commission recess into executive session to discuss non-elected personnel issues. Commissioner Hattan seconded. Motion carried. Time: 5:10 p.m.

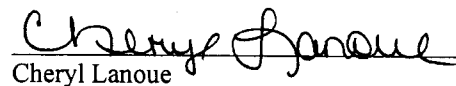
The commission reconvened at 5:30 p.m.

Commissioner Hattan moved to recess for an additional 20 minutes to continue the discussion of non-elected personnel issues. Commissioner Robbins seconded. Motion carried. Time: 5:30 pm.

The commissioner reconvened at 5:50 p.m.

Mayor Robbins announced that the Commission had been discussing non-elected personnel and no action had been taken.

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

  
Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD FEBRUARY 26, 1997**

The governing body met in adjourned session on February 26, 1997, at 6:50 p.m. in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioner Robbins, Bombardier and Hattan.

Absent: None.

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

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

Visitors: Robert Burns, Armand Balthazor, Burl Maley, Tom Fisher, Judith McKee, Eric Johnson, Mike Steele, Lowell May and Larry Remmenga.

**"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, City Hall, Concordia, Kansas  
Date: February 26, 1997  
Time: 6:30 o'clock p.m.

The object of said meeting will be as follows:

1. Call to order.
2. Proposed Executive Session to Discuss Attorney-Client matters.
3. Adjournment to Study Session immediately following.

/s/ LaVern C. Robbins  
MAYOR

/s/ Gregory L. Hattan  
COMMISSIONER

/s/ Isadore Bombardier  
COMMISSIONER

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

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

You are hereby notified that there will be a special meeting of the Board of Commissioners at 6:30 o'clock p.m. on the 26th day of February, 1997, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

PLACE: City Commission Room, City Hall  
DATE: February 26, 1997  
TIME: 6:30 o'clock p.m.

The object of said meeting will be as follows:

1. Call to Order.
2. Proposed Executive Session to Discuss Attorney-Client Matters.
3. Adjournment to Work Session immediately following.

(Seal)

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

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD FEB. 26, 97 CONT.**

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 leave said notice at the usual place of residence of said Commissioner before 2:00 o'clock on the 26th day of February, 1997, and to make a return in writing of said service, showing the manner of such service.

/s/ Cheryl Lanoue  
City Clerk

(Seal)

**RETURN OF SERVICE**

The undersigned received the original notice of Special City Commission meeting of which the foregoing is a copy at, 3:46 o'clock p.m., February 21, 1997 (LaVern C. Robbins); 2:28 o'clock p.m., February 21, 1997 (Gregory L. Hattan); and 4:14 o'clock p.m. on February 21, 1997 (Isadore Bombardier).

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

**COMMISSION INTO EXECUTIVE SESSION**

At this time Commissioner Robbins moved that the commission recess into executive session to discuss Attorney-Client Matters. Commissioner Bombardier seconded. Motion carried. Time: 6:50 p.m.

The commission reconvened at 7:10 p.m.

Mayor Robbins announced that the Commission had been discussing Attorney-Client matters and no action had been taken.

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

Cheryl Lanoue  
Cheryl Lanoue  
City Clerk

(Seal)

# MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 5, 1997

The governing body met in regular session on March 5, 1997, at 4:00 p.m. in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioners Robbins and Bombardier. Commissioner Hattan arriving at 4:10 p.m.

Absent: None.

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

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

Visitors: Brad Lowell, Lori Ade, Robert Burns, Marie Dale, Judith McKee, Pat Burns, John Christensen, Andy Burns, Kirk Lowell, Dennis Smith, Don Kling, Bill Geier, Harriet Wahl, Dana Brewer and Armand Balthazor.

Minutes of the February 19th and 26th meeting were approved as written.

## APPROPRIATION ORDINANCE NO. 4

APPROVED

Appropriation Ordinance No. 4 was approved according to law.

## PROCLAMATION

## EAGLE SCOUT PROJECT

Mayor Robbins read the proclamation and declared March 17th - 21st, 1997 as Poison Awareness Week in Concordia. Andy Burns and John Christensen were present for the proclamation.

## PUBLIC GROUNDS TRUCK 1997 BID AWARD

## BABE HOUSER MOTOR, INC.

Acting City Manager Sedlacek advised the commission that the city received one (1) bid as follows:

### **TABULATION SHEET**

### **PUBLIC GROUNDS DEPARTMENT VEHICLE BID**

DATE: 2-27-97

TIME: 12:00P.M.

	<b>WITHOUT TRADE-IN</b>	<b>WITH TRADE-IN</b>
<b>BABE HOUSER MOTOR CO., INC.</b>	<b>15,875.00</b>	<b>14,875.00</b>
<b>1997 Chevrolet, Full size, Fleetside 1/2T pickup</b>		
<b>Delivery Date: 6-8 weeks</b>		

Following discussion, Commissioner Robbins moved to accept the low bid of \$14,875.00 with trade-in from Babe Houser Motor Co., Inc. Commissioner Bombardier seconded. Motion carried.

## CLOUD CERAMICS & CLOUDCORP - EPA NEW AIR QUALITY STANDARDS

APPROVED

Mr. Kirk Lowell, with Cloudcorp, was present to inform the commission on the Environmental Protection Agency proposal to revise the National Ambient Air Quality Standards for two attainment criteria air pollutants; ground level ozone and particulate matter emissions. EPA proposed new standards to tightly regulate particulate matter that is 2.5 microns in size instead of staying with the current particulate matter that is 10 microns. If the new particulate matter 2.5 air quality standards proposed by EPA are passed, Cloud County will be classified as a NAAQS non-attainment area. This would put excessive and costly regulations on our existing businesses, industries and agriculture. Mr. Lowell advised that it is very difficult to attract new business and industry to our community because of the resulting NAAQS non attainment status. Mr. Lowell also pointed out that blowing organic dust, which is very common in Kansas, could put Cloud County out of attainment status if the proposed particulate matter 2.5 standards are implemented. Mr Lowell introduced Dennis Smith, President, Bill Geier, Safety Coordinator, and Don Kling, Plant Manager of Cloud Ceramics. Mr. Smith advised the commission that everyone that uses diesel fuel would have to obtain a Title I-V. Mr. Smith explained the process that the Brick Plant went through to obtain a Title II for \$200 and also advised that there is an office in Manhattan, KS that would help with this. Mr. Lowell advised that he would like to see a letter of testimony, drafted by staff, submitted to the EPA. Following discussion Commissioner Robbins moved that a letter of testimony be drafted by staff, on the proposal of particulate matter. Commissioner Bombardier seconded. Motion carried.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 5, 97 CONT.**

**CLOUDCORP ANNUAL FUNDING REQUEST**

**APPROVED**

Mr. Kirk Lowell, with Cloudcorp, updated the commission on all of the projects for the last year and the current projects. Mr. Lowell also went over the Board of Directors and the different committees for Cloudcorp. Mr. Lowell advised that Cloudcorp was requesting that the commission sign the Funding Agreement, with Cloudcorp for calendar year 1997. Mr. Dana Brewer, President of Cloudcorp, advised the commission that Mr. Lowell was doing an excellent job and was unpaid. Mr. Brewer advised the commission to consider approving more than \$15,000 at some point in time, so that Cloudcorp could provide some support to Mr. Lowell. Following discussion, Commissioner Bombardier moved to authorize the Mayor to sign the Funding Agreement, with Cloudcorp for calendar year 1997, for \$15,000. Commissioner Hattan seconded. Motion carried.

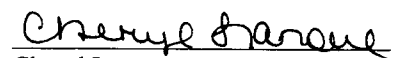
**MANAGER'S REPORT**

Acting City Manager Sedlacek advised the commission that the City has received the approved Airport Master Plan.

**PUBLIC COMMENTS**

Armand Balthazor asked what the status was on the dispatch center? Commissioner Hattan advised that the city was waiting on the plans from the engineers.

There being no further business, Commissioner Robbins moved to adjourn the meeting to March 12, 1996, at 6:30 p.m. at the City Commission room in the City Hall. Commissioner Hattan seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD MARCH 12, 1997**

The governing body met in adjourned session on March 12, 1997, at 6:30 p.m. in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioner Robbins and Bombardier.

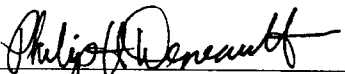
Absent: Commissioner Hattan.

Other Officers: Acting City Manager Sedlacek, City Attorney Retter and Deputy City Clerk Deneault.

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

Visitors: Armand Balthazor, Larry Remmenga, Carl L. Johnson, Bill Strait, Rob Mahan, Charles A. Stryker, Robert Hall, Marie Dale and Randy Moon.

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

  
Philip H. Deneault  
Deputy City Clerk

(Seal)



## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 19, 1997**

The governing body met in regular session on March 19, 1997, at 4:00 p.m. in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioners Robbins, Hattan and Bombardier.

Absent: None.

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

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

Visitors: Brad Lowell, Dallas Nading, Marie Dale, Judith McKee, Tom Fisher, Helen Hansen, Alice Manthey, Ron Solt, Bob Burns, Larry Remmenga, Amy Howard, Josh Brooks, Burl Maley, Vince Crough, Rod Moore, Ima Jean Chavey and Armand Balthazor.

### **MINUTES AMENDED MARCH 5, 1996 MEETING**

**APPROVED**

Mayor Robbins read an amendment to the March 5, 1997 minutes as follows: Mr. Dana Brewer, President of Cloud Corp, advised the commission that Mr. Lowell was doing an excellent job and was under paid. Commissioner Bombardier moved to approve the amendment to the March 5, 1997 minutes. Commissioner Hattan seconded. Motion carried.

The amended minutes of the March 5, 1997 meeting and the original minutes of the March 12, 1997 adjourned meeting were approved as written.

### **APPROPRIATION ORDINANCE NO. 5**

**APPROVED**

Appropriation Ordinance No. 5 was approved according to law.

### **PROCLAMATION**

**ARBOR DAY**

Mayor Robbins read the proclamation and declared March 28, 1997 as Arbor Day in City of Concordia, Kansas.

### **WEATHER BUREAU LEASE AGREEMENT**

**APPROVED**

Acting City Manager Sedlacek advised the commission that the contact person with the Weather Bureau has been in contact with the City and would like to extend the term of the lease agreement through September 30, 1998. The City would receive \$1,150 per month for the term of the agreement. Following discussion, Commissioner Bombardier moved to authorize the Mayor and City Clerk to sign the Supplemental Lease Agreement with the Weather Bureau. Commissioner Hattan seconded. Motion carried.

### **WASTE WATER TREATMENT PLANT DISINFECTION PROJECT**

**APPROVED**

Acting City Manager Sedlacek advised that at the March 12, 1997 City Commission Study Session, representatives from Bucher, Willis and Ratliff and CAS Construction were present to inform the Commission about a Design/Build project alternative. The Design/Build option would take the place of the competitive bid process. Acting City Manager Sedlacek advised that staff is recommending that the City Commission authorize staff to engage with Bucher, Willis and Ratliff and CAS Construction and proceed with the Design/Build concept.

Commissioner Hattan asked who would pay the engineering firm. Acting City Manager Sedlacek advised that she believed it would be in the lump sum that would be paid to the contractor. Commissioner Hattan felt that the City should have some say on the percentage that the engineering firm receives. Following discussion, Commissioner Bombardier moved to authorize staff to engage with Bucher, Willis and Ratliff and CAS Construction and proceed with the Design/Build concept. Commissioner Robbins seconded. Motion carried.

### **CEMETERY MARKER FOR CHARITY FIELD**

**APPROVED**

Acting City Manager Sedlacek advised the commission that on the February 12, 1997 the commission requested that the area known as charity field be marked. Ms. Judith McKee, Director of Public Grounds, has investigated the following options:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 19, 1997 CONT.

	<u>McDaniel Memorial</u>	<u>Hopkins Granite</u>
• 6" x 6" corner marker (4)	\$80.00	\$60.00
• 42"x13"x 4" marker	250.00	275.00
• 2' slant	250.00	includes corner stones 315.00

Ms. McKee advised that she has contacted Mr. & Mrs. John Mosher Trustees of the Grace Millirons Trust Fund and the trustees indicated this would be an acceptable project for the trust money but not to exceed \$275.00. Staff is recommending the 42" x 13" x 4" marker with corner stones and a dedication ceremony be scheduled upon completion of the project. Following discussion, Commissioner Bombardier moved to approve the 42" x 13" x 4" marker with corner stones. Commissioner Robbins seconded. Motion carried.

BARRICADE POLICY

DISCUSSION

Commissioner Hattan expressed that he was not in favor of a policy where the City would lend out barricades to anyone.

Ron Solt advised that his company does rent barricades to the public and that they have several types.

Commissioner Robbins expressed that there were some bad feelings between Westplains and the City and he had received word that Westplains would no longer be doing things like the Christmas decorations for free.

Acting City Manager Sedlacek advised that when Westplains contacted the City, Tom Fisher explained to them that it is not our policy to lend barricades, they should try using cones and if this did not work to get back with him and maybe we could work something out at that time. Acting City Manager Sedlacek also advised that the Christmas decorations belonged to the Chamber of Commerce.

All commissioners agreed to leave the policy as it is and that we should tell people where they are available to rent.

COMMISSIONERS' COMMENTS

Commissioner Hattan advised that the sick leave information that Commissioner Robbins requested is the information that the commissioners have received for four years. Commissioner Hattan advised all the commission was asking for were the number of days employees were gone from employment. Commissioner Hattan also stated that he knows management advisors that use the number of sick days as a measure of productivity and effectiveness.

Acting City Manager Sedlacek advised that she was concerned at looking at individual names and sick leave days taken because of the potential liability to the City. Acting City Manager Sedlacek was also concerned about any assumptions that would be made about employees that have taken sick leave and if the City would have potential liability for these assumptions. Acting City Manager Sedlacek advised that the potential liability for the City is the only reason for seeking an attorney general opinion.

Commissioner Robbins advised that what he asked for was the employee's name and sick days taken.

Acting City Manager Sedlacek indicated that in his request Commissioner Robbins talked about an employee in his company who took sick leave on Friday and Monday which caused suspicion of alcohol abuse.

Commissioner Robbins advised in the company he works for there are sick leave abusers and this is one way to identify them.

Acting City Manager Sedlacek advised that she is currently willing to provide the information by department total. When we receive the attorney generals opinion we will provide the Commission with a copy. If the attorney general says that we can give this information out, We will be happy to provide it to the Commission.

PUBLIC COMMENTS

Helen Hansen asked the commission if they could change the lot coverage on a substandard lot. Acting City Manager Sedlacek advised that the lot coverage change must go through the Planning Commission, then the Planning Commission would recommend the Commission amend the requirements.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 19, 1997 CONT.**

Armand Balthazor advised that he had been coming to the City Commission meetings for ten (10) years and last week he came into the City to pick up the appropriation ordinance and was advised that the commissioners had not seen the appropriation ordinance yet. Mr. Balthazor continued to advise that the next day he came to get the appropriation ordinance and he had to sign for it and was charged .25 a copy. Mr. Balthazor wanted to know if this was the commissions' idea.

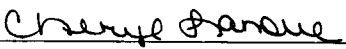
Acting City Manager Sedlacek advised that the City has an ordinance for open records, which requires .25 a copy. The City is trying to keep better track of what goes out of our office. If we do give someone information and we find that it is incorrect we will then be able to notify them and provide them the correct information.

Commissioner Hattan advised that the appropriation ordinance could be given to the ones that request it at the meeting.

Commissioner Bombardier wanted to welcome the three (3) high school students and asked that the City Clerk Lanoue read their names. City Clerk Lanoue read the names of the three (3) high school students as follows: Amy Howard, Josh Brooks and Rod Moore.

Acting City Manager Sedlacek advised that there was nothing for the March 26, 1997 study session. All commissioners agreed not to meet for the study session on March 26, 1997.

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

  
Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 2, 1997**

The governing body met in regular session on April 2, 1997, at 4:00 p.m. in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioners Robbins, Hattan and Bombardier.

Absent: None.

Other Officers: Acting City Manager Sedlacek, Acting City Attorney Vernon and City Clerk Lanoue.

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

Visitors: Brad Lowell, Lori Ade, Marie Dale, Charlie Hamilton, Burl Maley, Michael Cairns and Armand Balthazor.

Commissioner Robbins pointed out that there was a statement on the minutes that says, which cause suspicion of alcohol abuse. Commissioner Robbins said "I have no recollection of saying that."

Acting City Manager Sedlacek said "that we would go back and listen on the tape and clarify that, so if you want wait and approve these minutes at the next meeting that is fine, we will go back and listen to the tape."

APPROPRIATION ORDINANCE NO. 6

APPROVED

Appropriation Ordinance No. 6 was approved according to law.

APPOINTMENTS TO LIBRARY BOARD

WINSTON SHRADER & KEVIN STEINERT

Acting City Manager Sedlacek advised the commission that the Library contacted the City and advised that Winston Shrader and Kevin Steinert were willing to serve on the Library Board for four (4) year terms. Commissioner Bombardier moved to appoint Winston Shrader and Kevin Steinert to the Library Board for four (4) year terms. Commissioner Hattan seconded. Motion carried.

RESOLUTION NO. 1196(WAIVER OF GAAP)

PASSED

Acting City Manager Sedlacek presented Resolution No. 1196 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 to pass Resolution No. 1196 waiving GAAP(Generally Accepted Accounting Principles). Commissioner Bombardier seconded. Motion carried.

1997 CHEMICAL DEPENDENCY FUNDING AGREEMENT

APPROVED

The City of Concordia has available certain funds derived from taxation authorized under K.S.A. 79-41a01, in the budgeted amount of \$8,260.00. In consideration of the receipt of this amount the Community Resource Council agrees to provide programs and services in the nature of the following:

Public Education and Prevention Programs and Agency Professional Workshops, Literature, Films, etc. Community Events.....	\$693.00
Public School Districts.....	\$1,000.00
Concordia Police Department.....	\$2,050.00
Manna House.....	\$500.00
City of Concordia (EAP) and other alcohol and drug related education and intervention projects.....	\$765.00

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 2, 1997 CONT.**

Agency Counseling & Treatment for the indigent by: Pawnee Mental Health Services, Inc.....	\$1,626.00
Kerr's Counseling.....	\$1,626.00
Total.....	\$8,260.00

Following discussion, Commissioner Robbins moved to approve the funding agreement for the Cloud County Community Resource Council. Commissioner Bombardier seconded. Motion carried.

**COMMISSION INTO EXECUTIVE SESSION**

At this time Commissioner Robbins moved that the commission recess into executive session for five (5) minutes to discuss non-elected personnel. Commissioner Hattan seconded. Motion carried. Time: 4:10 p.m.

The commission reconvened at 4:15 p.m.

Mayor Robbins announced that the Commission had been discussing non-elected personnel and no action had been taken.

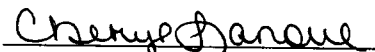
Acting City Manager Sedlacek advised the commission in regards to the sick leave request, that was discussed at the last meeting, the Attorney General declined to give us an opinion on that. Any information request similar to that would be handled internally and confidently.

**PUBLIC COMMENTS**

Armand Balthazor congratulated Izzy on the election results. Armand asked "on the wastewater treatment deal, we ain't going to put no bids out on that. Is that the way I understand it, your not going to put no bids out on this plant?" Commissioner Robbins said "we decided to go with this professional type of person to perform this service for the City, now the money hadn't been set and price hadn't been set and the things that we need haven't been discussed yet down to detail and yes as near as we know we are." Armand ask if anyone knows what the price is supposed to be? Commissioner Hattan advised that the engineers have formulated in the minds what the cost is supposed to be.

Commissioner Bombardier welcomed two students from the government class, Charlie Hamilton and Michael Cairns.

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

  
Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 16, 1997**

The governing body met in regular session on April 16, 1997, at 4:10 p.m. in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioners Robbins and Bombardier. Commissioner Hattan arriving at 4:15 p.m.

Absent: None.

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

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

Visitors: Brad Lowell, Lori Ade, Marie Dale, Judith McKee, Charles A. Stryker, Rob D. Mahan, Robert Hall, Larry Remmenga, Joyce Robbins, Robert L. Boardman, and Armand Balthazor.

Minutes of the March 19 and April 2, 1997 were approved as written.

APPROPRIATION ORDINANCE NO. 7

TABLED

Commissioner Robbins moved to table Appropriation Ordinance No. 7. Commissioner Bombardier seconded. Motion carried.

PROCLAMATION

NATIONAL COIN WEEK

Mayor Robbins read the proclamation and declared April 20-26, 1997 as National Coin Week.

PROCLAMATION

BUDDY POPPY WEEK

Mayor Robbins read the proclamation and declared April 19th, 1997 as Buddy Poppy Week.

APPROPRIATION ORDINANCE NO. 7

APPROVED

Appropriation Ordinance No. 7 was approved according to law.

ELECTION RESULTS

PLACED ON FILE

Acting City Manager Sedlacek presented the report from the Cloud County Clerk and Election Officer, Betty Musick, certifying the results of the City Election for the City of Concordia held on April 1, 1997, to be as follows:

For City Commission:

Isadore Bombardier	923
Armand Balthazor	311
Lowell May	1
Greg Hattan	1
Ann Lucko	1
Mark Nordell	1
Bill Matthes	1
Chuck Collins	1

Following the reading of the election results from the County Clerk, Mayor Robbins declared Isadore Bombardier to the Office of City Commissioner for a Three (3) year term.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 16, 1997 CONT.**

OATH OF OFFICE

City Ordinance prescribes that elected officials take the Oath of Office before entering into the duties of their office. City Clerk Lanoue administered the Oath of Office to Commissioner Isadore Bombardier for a three year term.

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. Commissioner Bombardier moved that Commissioner Hattan be elected to serve as Mayor for the ensuing year. Commissioner Robbins seconded. Motion carried.

FIRST QUARTER INVESTMENT REPORT

ORDERED PLACED ON FILE

Acting City Manager Sedlacek presented the first quarter investment report for 1997 per Ordinance No. 1860. Total interest received for the first quarter of 1997 was \$15,281.71 compared to \$11,171.11 for 1996. Commissioner Bombardier moved to place on file the first quarter investment report. Commissioner Robbins seconded. Motion carried.

WASTEWATER TREATMENT PLANT DISINFECTION PROJECT

Acting City Manager Sedlacek advised the commission that they would be authorizing the Design/Builders to proceed with preliminary design and construction cost estimates and that we agree to compensate the Design/Builder for preliminary work in the event that the City should decide not to proceed with the project. City Attorney Retter advised that he has looked at the Agreement and the maximum the City would have to pay would be \$10,000. Commissioner Hattan asked if the pending legislation would effect this project. Charles Stryker advised that the City would still have to do the disinfection. Following discussion, Commissioner Hattan moved to authorize the Mayor to sign the Preliminary Agreement for Design/Build Services and appoint Commissioner Bombardier to the Design/Build Committee. Commissioner Robbins seconded. Motion carried.

WESTPLAINS - US 81 STREET LIGHTING PROPOSAL

DISCUSSION

Acting City Manager advised that Jim Coash, with Westplain, wasn't present today, but would attend a commission meeting in May.

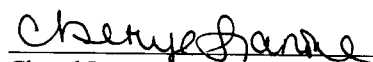
MAYOR COMMENTS

Mayor Hattan presented a plaque to Commissioner Robbins for the Year of Service as Mayor of Concordia.

PUBLIC COMMENTS

Armand Balthazor asked if the lawsuit, with the sexual harassment, was settled? Commissioner Hattan advised that it was. Armand then asked for a break down of the expenses. Commissioner Hattan advised the City Attorney Retter would prepare the information that could be released. Armand Balthazor then asked City Attorney if he would prepare a break down of the expenses. City Attorney Retter asked if Armand if he had the Appropriation Ordinances and advised that the expenses were on the Appropriation Ordinances.

There being no further business, Commissioner Bombardier moved to adjourn the meeting to April 23rd, 1997 at 6:30 p.m. at the City Commission Room, in City Hall. Commissioner Robbins seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD APRIL 23, 1997**

The governing body met in adjourned session on April 23, 1997, at 6:30 p.m. in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioner Robbins, Hattan and Bombardier.

Absent: None.

Other Officers: Acting City Manager Sedlacek, City Attorney Retter and Deputy City Clerk Deneault.

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

Visitors: Armand Balthazor, Larry Remmenga, Bill Fellows, Nick Owen, Doug Thoman, Doug Burgess, Bryan Bombardier, Marie Dale, Ken Campbell, Sam Smith and Kirk Lowell.

**INDUSTRIAL PARK FLOOD RELIEF PERFORMANCE**

**HEARING HELD**

Mayor Hattan opened the public hearing on the Industrial Park Flood Relief Performance.

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

**RESOLUTION NO. 1197 (AMENDING & SUPPLEMENTING RESOLUTION NO. 1174) PASSED**

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION OF THE CITY OF CONCORDIA, KANSAS AMENDING AND SUPPLEMENTING RESOLUTION NO. 1174 OF THE CITY WHICH AUTHORIZED THE IMPROVEMENT OR REIMPROVEMENT OF CERTAIN MAIN TRAFFICWAYS WITHIN THE CITY; AND PROVIDED FOR PAYMENT OF THE COSTS THEREOF.**

Thereupon, Commissioner Bombardier moved that said Resolution be adopted. The motion was seconded by Commissioner Robbins. 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 City Commission, being as follows:

Yes: Hattan, Bombardier, Robbins

No: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 1197 and was signed by the mayor and attested by the Deputy City Clerk.

**BID AWARD FOR CONSTRUCTION CONTRACT FOR US 81 UTILITY RELOCATION**

**ALLIED, INC.**

Acting City Manager Sedlacek advised the Commission that the City accepted bids until April 22, 1997 on the US 81 utility relocation and received the following bids:

<u>CONTRACTOR</u>	<u>BASE BID</u>
Smokey Hill	598,919.00
MiddleCreek	648,365.00
Emcon Inc.	632,436.50
BRB	692,752.72
Emerson Construction	765,965.43
Midlands Construction	597,133.00
Allied Inc.	529,498.65
Stevens Construction	579,572.00

Following discussion, Commissioner Bombardier moved to accept the low bid of \$529,498.65, from Allied, Inc. Commissioner Robbins seconded. Motion carried.

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



Phil Deneault  
Deputy City Clerk

(Seal)



## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 7, 1997

The governing body met in regular session on May 7, 1997, at 4:00 p.m. in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Robbins and Bombardier.

Absent: None.

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

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

Visitors: Brad Lowell, Lori Ade, Marie Dale, Larry Remmenga, Anthony Budreau, Rachel Lowrey, Mike Derosseau, Kirk Lowell, Adam Johnson, Jade Kerr, Burl Maley, Jamie Wheeler, Steve Shanks, Jeff Klootwyk and Armand Balthazor.

Minutes of the April 16 and April 23, 1997 meetings were approved as written.

### APPROPRIATION ORDINANCE NO. 8

APPROVED

Appropriation Ordinance No. 8 was approved according to law.

### PROCLAMATION

MENTAL HEALTH MONTH

Nancy Champlin was present to request that the month of May be designated as Mental Health Month. Mayor Hattan proclaimed the month of May Mental Health Month.

### APPOINTMENTS TO AIRPORT ADVISORY

RICK BREAUT

Acting City Manager Sedlacek advised that Bill Fellows has resigned from the Airport Advisory Board. Rick Breault has been contacted and has indicated a willingness to serve the unexpired term. Commissioner Bombardier moved to appoint Rick Breault to the unexpired term to expire July of 1997. Commissioner Robbins seconded. Motion carried.

### POLICE RELOCATION PLANS

APPROVED

Acting City Manager Sedlacek advised the commission that at the February 19, 1997 meeting the Commission voted to remodel the existing City Hall facility to accommodate the Police Department. The Commission needs to authorize staff to proceed with the police relocation interior remodel revision #1 and make a decision about bidding or negotiating the project. Commissioner Hattan asked about the storage at the back of the city commission room. Acting City Manager Sedlacek advised that Campbell & Johnson would add it to the plans. Following discussion, Commissioner Hattan moved to authorize staff to proceed with the police relocation interior remodel revision #1. Commissioner Robbins seconded. Motion carried with a two-thirds vote. The vote being as follows:

Yes: Commissioner Hattan and Robbins.

No: Commissioner Bombardier.

Commissioner Hattan moved that the city do competitive bidding on the police relocation interior remodel revision #1. Commissioner Robbins seconded. Motion carried. The vote being as follows:

Yes: Commissioner Hattan, Robbins and Bombardier.

No: None.

### PHYSICIAN RECRUITMENT LETTER OF SUPPORT

APPROVED

Acting City Manager advised the commission that Mike Derosseau of Medico Associates has contacted the city for a letter of support to Dr. Carmen Oliveras.

Following discussion, Commissioner Bombardier moved to authorize the mayor to sign a letter of support to Ms. Linda Seckel, United States Dept of Agriculture, regarding Dr. Carmen Oliveras. Commissioner Robbins seconded. Motion carried.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 7, 1997 CONT.**

SMOKEFREE WORKPLACE

TABLED

Acting City Manager Sedlacek advised the commission that she had received complaints of the smoking in the buildings and vehicles and the ordinance would band smoking in all city owned buildings and vehicles and would place a \$20 fine for violation or for removing the signs. Commissioner Hattan asked if that would include the leased buildings and the property that the city has IRB's on. City Attorney Retter advised that it would. Commissioner Hattan advised that he didn't want to set policy for different businesses. City Attorney Retter advised that he could change the ordinance to reflect that. Commissioner Hattan moved to table the Smokefree Workplace Ordinance. Commissioner Robbins seconded. Motion carried.

COMMISSIONER INTO EXECUTIVE SESSION

At this time Commissioner Hattan moved that the commission recess into executive session for ten (10) minutes to discuss attorney client privileges. Commissioner Robbins seconded. Motion carried. Time: 4:20 p.m.

The commission reconvened at 4:30 p.m.

Mayor Hattan announced that the Commission had been discussing attorney client privileges and no bending action had been taken.

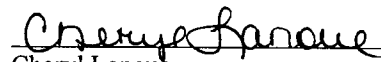
PUBLIC COMMENTS

Armand Balthazor asked about the training of employees. Commissioner Hattan advised that some of the employees attend training to become certified. Armand said "We have alot of training going on and we train these people then they leave us."

Brad Lowell, from the Blade-Empire indicated that he had received a copy of the letter sent to the Attorney General requesting open records disclosure and was just wondering what the status of that was. City Attorney Retter responded that we have issued a written response to that and the response to the open records request is an open record itself, copy of that can be made. Mr. Lowell also asked about an appropriation ordinance in which there was a payment to A One Management for \$3700, for an insurance deductible. He also inquired whether there was ever a sexual harassment lawsuit filed or was it just a sexual harassment grievance? City Attorney Retter advised that the only comment that can be made with respect to the allegation of sexual harassment lawsuit was that a lawsuit was filed and has been resolved with all parties involved. Mr. Lowell asked if we could comment on A One Management for \$3700? City Attorney Retter said "My understanding is that, this was a payment to an insurance company, in connection with some litigation that the City is involved with."

Kirk Lowell asked the commission if the City had paramedics? Commissioner Hattan advised that we do not. Lowell stated that we were raising issues about training and that we probably need training for paramedics. Commissioner Bombardier advised that the city would have to purchase equipment that is very expensive.

There being no further business Commissioner Hattan moved to adjourn the meeting to May 14, 1997, at 6:30 p.m. at the City Commission Room, in City Hall. Commissioner Robbins seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 14, 1997

The governing body met in regular session on May 14, 1997, at 6:30 p.m. in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Robbins and Bombardier.

Absent: None.

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

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

Visitors: Marie Dale, Burl Maley, Delores Landry, Patricia Altwegg, Robert Burns and Armand Balthazor.

### ORDINANCE NO. 2669 (SMOKE FREE WORKPLACE)

APPROVED

An Ordinance entitled "AN ORDINANCE AMENDING THE CONCORDIA CODE, REGULATING SMOKING IN CERTAIN BUILDINGS AND VEHICLES OWNED BY THE CITY OF CONCORDIA, KANSAS; PROVIDING THE DETAILS OF SUCH REGULATION, AND AMENDING THE CONCORDIA CODE BY ADDING A SECTION TO BE NUMBERED 15-43" was read and considered by the Commission. On roll call upon its passage, the following Commissioners voted "Yea": Commissioner Hattan, Bombardier and Robbins. "Nay": None. With all of the Commission-elect having voted in favor thereof, the ordinance was declared passed, the titled agreed to and the city clerk assigned to it No. 2669.

### CLOUD COUNTY TOURISM VIDEO

Delores Landry advised the commission that last week was National Tourism Week. At this time the Commission viewed Land, Lakes and Limestone. Ms. Landry and Ms. Altwegg gave to the commission pamphlets on tourism in Cloud County and thanked the Commission for their time.

### MAYOR COMMENTS

Mayor Hattan asked about the meeting after the regular meeting next week. Acting City Manager Sedlacek advised that the League of Kansas Municipalities was having a video conference for the End of Session Legislative Update, May 21, 1997 from 7:00 - 9:00 p.m. at Cloud County Community College Conference Center. Acting City Manager Sedlacek also advised that the week of May 28, the study session would be at 4:00 p.m. instead of 6:30 p.m., in order for the Commission to tour the Treatment Plant and the Sport Complex Facilities.

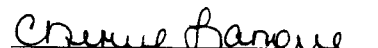
Mayor Hattan also asked about the policy on dandelions in City Park. Acting City Manager Sedlacek advised that she would check on this and let the Commission know.

### BURN ORDINANCE AMENDMENTS

DISCUSSION

Robert Burns, Acting Fire Chief, advised the Commission that the current policy on burning in city limits was hard to enforce. Acting Fire Chief Burns advised that the residents of the City would still be able to burn, but under certain guidelines.

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

  
Cheryl Lanoue  
City Clerk

(Seal)

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 21, 1997

The governing body met in regular session on May 21, 1997, at 4:00 p.m. in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioners Robbins and Bombardier. Commissioner Hattan arriving at 4:15 p.m.

Absent: None.

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

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

Visitors: Brad Lowell, Lori Ade, Marie Dale, Ken Campbell, Larry Remmenga, Kirk Lowell, Jim Coach, Bryan Bergen and Armand Balthazor.

Minutes of the May 7 and May 14, 1997 meetings were approved as written.

### APPROPRIATION ORDINANCE NO. 9

APPROVED

Appropriation Ordinance No. 9 was approved according to law.

### HOUSING AUTHORITY RESIGNATION

IMA JEAN CHAVEY

Commissioner Bombardier moved to accept the resignation of Ima Jean Chavey, from the Housing Authority Board. Commissioner Robbins seconded. Motion carried.

### HOUSING AUTHORITY APPOINTMENT

RAY CALLAWAY

Chris Black, chairman of the Concordia Housing Authority had notified Acting City Manager Sedlacek that Ima Jean Chavey had resigned her position on the Housing Authority. The Housing Authority is recommending Ray Callaway to fill her unexpired term. Commissioner Bombardier moved to appoint Ray Callaway to the Housing Authority. Commissioner Robbins seconded. Motion carried.

### RESOLUTION NO. 1198 (SALE OF GO BONDS SERIES 1997)

PASSED

The matter of providing for the offering for sale of \$595,000 principal amount of General Obligation Bonds, Series 1997, came on for consideration and was discussed.

Commissioner Bombardier presented and moved the adoption of a Resolution entitled:

#### **RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES 1997, OF THE CITY OF CONCORDIA, KANSAS.**

Commissioner Robbins seconded the motion to adopt the Resolution. Thereupon, the Resolution was read and considered, and, the question being put to a roll call vote, the vote thereon was as follows:

Aye: Commissioner Robbins and Bombardier.

Nay: None

The Mayor declared the Resolution duly adopted; the Clerk designating the same Resolution No. 1198.

### PUBLIC HEARING - KDOT 5 - YEAR PLAN

HELD

At this time Mayor Hattan opened the public hearing on the five (5) year KDOT plan.

Mayor Hattan asked for any public comments.

Acting City Manager Sedlacek advised that the projects on the list with first priority being as follows:

1. 11th St. Hill to E. City Limits
2. 18th St. Archer to Lincoln
3. Cedar St. 7th to 11th
4. 2nd St. State to Kansas
5. 2nd St. Kansas to Valley and Valley to 4th

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 21, 1998 CONT.**

There was no public comments.

Mayor Hattan moved to close the Public Hearing. Commissioner Robbins seconded. Motion carried.

Acting City Manager Sedlacek advised that next weeks study session would be at 4:00 p.m. The Commission would tour the Wastewater Treatment Plant from 4:00 - 6:00 p.m. and the Sport Complex from 6:00 - 7:00 p.m.

**STREET LIGHTING PROPOSAL WITH WESTPLAINS**

**DISCUSSION**

Jim Coash, Westplains Energy, advised the commission that the proposal on the street lighting along highway 81 would be \$85,000 upfront cost and approximately \$247 on the monthly statement forever. The poles would still be owned by Westplains and would include an additional thirteen (13) lights. This would consist of steel poles, break away bases and longer arms. The lighting would be all on the west side of the highway behind the sidewalk. The total cost of the project would be around \$150,000, roughly \$100,000 hardware and \$50,000 labor. Acting City Attorney Retter asked if the cost could be a loan from the company. Coash advised that he would check on this. Coash also advised that the State might reimbursement Westplains up to \$18,000 or 12% of the total cost. The reimbursment would go to the City or be taken off of the \$85,000. The construction of this would start at the end of 1998 and finish in 1999.

Acting City Manager Sedlacek asked when Westplains would need to know what the City intended to do with the lighting. Coash advised sometime late fall.

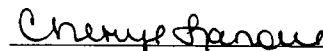
Commissioner Hattan asked who paid for the viaduct lights. Coash advised that the poles on the viaduct that they replaced were steel poles, so there was no cost to the City.

Coash asked the Commission about placing two (2) more lights at the North end of the viaduct and one (1) at the Laundromat at 6th & Lincoln on the alley. The cost at the North end of the viaduct would be \$3,648 upfront and an additional \$12.67 for each light on the monthly statement and the light at the Laundromat on the alley would be \$9.66 a month. Coash advised to let him know whether the city would to put the lights at these locations.

Kirk Lowell advised the Commission that 81 was the key to the future and that the City should put up the capital investment on 81, for Economic Development reasons.

At this time Mayor Hattan announced that the Study Session next week would start at 4:00 p.m. to tour the Wastewater Treatment Plant and Concordia Sport Complex.

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



Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 4, 1997**

The governing body met in regular session on June 4, 1997, at 4:00 p.m. in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Robbins and Bombardier.

Absent: None.

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

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

Visitors: Lori Ade, Marie Dale, Kirk Lowell, Robert Burns, Mary Kuhn and Armand Balthazor.

- Minutes of the May 21, 1997 meeting were approved as written.

APPROPRIATION ORDINANCE NO. 10

APPROVED

Appropriation Ordinance No. 10 was approved according to law.

AIRPORT ADVISORY APPOINTMENT

MIKE HOLMES

Acting City Manager Sedlacek advised the commission that Mike Holmes' term had expired and he is willing to continue to serve on the Airport Advisory Board. Commissioner Bombardier moved to appoint Mike Holmes to the Airport Advisory Board. Commissioner Robbins seconded. Motion carried.

ORDINANCE NO. 2670(BURN ORDINANCE)

APPROVED

An Ordinance entitled "AN ORDINANCE REGULATING TRASH BURNING IN THE CITY OF CONCORDIA, KANSAS; PROVIDING THE DETAILS OF SUCH REGULATIONS; REPEALING CONCORDIA CODE SECTION 10-18 AND 10-19; AND AMENDING THE CONCORDIA CODE BY ADDING A SECTION, TO BE NUMBERED 10-22" was read and considered by the commission. On roll call upon its passage, the following Commissioners voted "Yea": Commissioner Hattan, Bombardier and Robbins. "Nay": None. With all of the Commission-elect having voted in favor thereof, the ordinance was declared passed, the title agreed to and the city clerk assigned to it No. 2670.

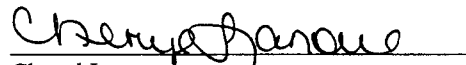
COMMISSION INTO EXECUTIVE SESSION

At this time Commissioner Hattan moved that the commission recess into executive session for ( 60 ) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time 4:15 p.m.

The commission reconvened at 5:15 p.m.

Mayor Hattan announced that the Commission had been discussing non-elected personnel and no binding action had been taken.

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

  
Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 18, 1997**

The governing body met in regular session on June 18, 1997, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Robbins and Bombardier.

Absent: None.

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

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

Visitors: Lori Ade, Marie Dale, Kirk Lowell, Mary Kuhn, Larry Remmenga, Bob Clark and Armand Balthazor.

Minutes of the June 4, 1997 meeting were approved as written.

APPROPRIATION ORDINANCE NO. 11

APPROVED

Appropriation Ordinance No. 11 was approved according to law.

GENERAL OBLIGATION BONDS, SERIES 1997-ACCEPT BID  
ORDINANCE NO. 2671(BOND SERIES 1997)  
RESOLUTION NO. 1199(BOND SERIES 1997)

APPROVED  
APPROVED  
APPROVED

The Clerk reported that pursuant to the Notice of Bond Sale heretofore duly given, sealed bids for the purchase of \$595,000 principal amount of General Obligation Bonds, Series 1997, dated July 1, 1997, of the City had been received. A tabulation of said bids is set forth as Exhibit A hereto.

Thereupon, the Governing Body reviewed and considered the bids and it was found and determined that the bid of Commerce Bank, Kansas City, was the best bid for the bonds, a copy of which is attached hereto as Exhibit B.

Commissioner Bombardier moved that said bid be accepted and that the Mayor and Clerk be authorized and directed to execute the bid form selling the Bonds to the best bidder on the basis of said bid and the terms specified in the notice of Bond Sale. The motion was seconded by Commissioner Robbins. Said motion was carried by a vote of the governing body with the vote being as follows:

Aye: Commissioners Hattan, Bombardier and Robbins.

Nay: None.

Thereupon, there was presented an Ordinance entitled:

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$595,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 1997, OF THE CITY OF CONCORDIA, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.**

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

Aye: Commissioners Hattan, Bombardier and Robbins.

Nay: None.

Thereupon, the mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2671 and was signed and approved by the Mayor and attested by the Clerk.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 18, 1997 CONT.**

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF \$595,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 1997, OF THE CITY OF CONCORDIA, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 2671 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.**

Thereupon, Commissioner Bombardier moved that said Resolution be adopted. The motion was seconded by Commissioner Robbins. 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: Commissioners Hattan, Bombardier and Robbins.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 1199 and was signed by the Mayor and attested by the Clerk.

ORDINANCE NO. 2672(MATTHEW STREET VACATION)

APPROVED

An Ordinance entitled "AN ORDINANCE PURSUANT TO K.S.A. 14-423, ET SEQ., AS AMENDED, VACATING THE HEREINBELOW DESCRIBED TRACT OF REAL ESTATE SITUATED IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF" was read and considered by the commission. On roll call upon its passage the following Commissioners voted "Yea": Commissioners Hattan, Bombardier and Robbins. "Nay": None. With all of the Commission-elect having voted in favor thereof, the ordinance was declared passed, the title agreed to and the City Clerk assigned to it No. 2672.

PUBLIC COMMENTS

Armand Balthazor stated that he had heard there was a local person interested in the City Manager position and asked if this person was being considered. Mr. Balthazor also stated that he was satisfied with the way Brenda was operating.

Commissioner Robbins advised that the local person was being considered.

Bob Clark advised the commission that on East 3rd the traffic is going 40 to 50 mph.

Acting City Manager Sedlacek advised that she received a call on this and had talked to Chief of Police Maley and they would be monitoring this.

Mayor Hattan asked about where we were on the Airport Grants. Acting City Manager Sedlacek advised that we would find out the deadlines for the grant applications.

Mayor Hattan asked the status on the well out south of town on US 81. Larry Remmenga, Director of Utilities, advised that the pump had been picked up and that we don't have to do anything with the well until July 99.

Mayor Hattan announced that the commission would be adjourning to next week for an executive session and there would be no study session scheduled for the meeting.

Mayor Hattan announced that he would not be here for the first meeting in July.



**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 18, 1997 CONT.**

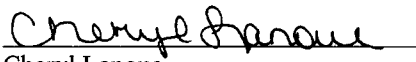
**COMMISSION INTO EXECUTIVE SESSION**

At this time Commissioner Hattan moved that the commission recess into executive session for ninety (90) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 4:30 p.m.

The commission reconvened at 6:00 p.m.

Mayor Hattan announced that the Commission had been discussing non-elected personnel and no binding action had been taken.

There being no further business Commissioner Hattan moved to adjourn the meeting to June 25, 1997, at 6:30 p.m. at the City Commission Room, in the City Hall. Commissioner Bombardier seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

## BID TABULATION

**\$595,000**  
**CITY OF CONCORDIA, KANSAS**  
**GENERAL OBLIGATION BONDS**  
**SERIES 1997**  
**DATED JULY 1, 1997**

**Sale Date: Wednesday, June 18, 1997**

[illegible]

OFFICIAL BID FORM  
PROPOSAL FOR THE PURCHASE OF THE CITY OF CONCORDIA, KANSAS  
GENERAL OBLIGATION BONDS

TO: Cheryl Lanoue, Clerk  
City of Concordia, Kansas

June 18, 1997

For \$595,000 principal amount of General Obligation Bonds, Series 1997, of the City of Concordia, Kansas, to be dated July 1, 1997, as described in your Notice of Bond Sale dated May 21, 1997, said Bonds to bear interest as follows:

Maturity	Principal	Interest	Maturity	Principal	Interest
November 1	Amount	Rate	November 1	Amount	Rate
2001	\$35,000	6.00 %	2007	\$50,000	4.75 %
2002	40,000	5.40 %	2008	55,000	4.85 %
2003	40,000	5.00 %	2009	55,000	4.95 %
2004	45,000	4.60 %	2010	60,000	5.00 %
2005	45,000	4.65 %	2011	60,000	5.00 %
2006	45,000	4.70 %	2012	65,000	5.00 %

the undersigned will pay the par value of the Bonds plus accrued interest to the date of delivery, plus a total premium in the amount set forth below.

Total interest cost to maturity at the rates specified ..... \$ 306,828.33  
Premium (if any) ..... (\$ - 6 - )  
Net interest cost..... \$ 306,828.33  
Average annual net interest rate ..... 4.934251%

The Bidder elects to have \$ \_\_\_\_\_ principal amount of the Bonds shown above to mature in the years \_\_\_\_\_ to \_\_\_\_\_, inclusive, issued as Term Bonds scheduled to mature in \_\_\_\_\_ and subject to mandatory redemption requirements in the amounts and at the times shown above.

This proposal is subject to all terms and conditions contained in said Notice of Bond Sale, and if the undersigned is the successful bidder, the undersigned will comply with all of the provisions contained in said Notice. A cashier's or certified check or a qualified financial surety bond in the amount of \$11,900 payable to the order of the Issuer, accompanies this proposal as an evidence of good faith. The acceptance of this proposal by the Issuer shall constitute a contract between the Issuer and the successful bidder.

Submitted by: Commerce Bank, N.A.  
By: Carol Clifton  
Telephone No. (816) 234-2458  
Carol Clifton, A.V.P.

[LIST ACCOUNT MEMBERS ON REVERSE]

ACCEPTANCE

Pursuant to action duly taken by the Governing Body of the City of Concordia, Kansas, the above proposal is hereby accepted on June 18, 1997.

Attest:

Cheryl Lanoue  
Clerk

Gregory J. Hatten  
Mayor

For completion if this bid is unsuccessful

NOTE: No additions or alterations in the above proposal form shall be made, and any erasures may cause rejection of any bid. Sealed bids may be filed with the Clerk, Cheryl Lanoue, City Hall, 701 Washington, Concordia, Kansas 66901, at or prior to 3:30 p.m., Central Daylight Time, on June 18, 1997. Any bid received after such time will be returned to the bidder.

Firm: \_\_\_\_\_

Return of good faith deposit is hereby acknowledged:

By: \_\_\_\_\_

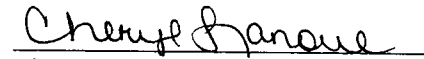
**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JUNE 25, 1997**

The governing body met in adjourned session on June 25, 1997, at 6:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Mayor Hattan.

Absent: Commissioners Bombardier and Robbins.

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

The Mayor declared that a quorum was not present.

  
Cheryl Lanoue  
City Clerk

(Seal)

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## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 2, 1997

The governing body met in regular session on July 2, 1997, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Robbins and Bombardier.

Absent: Commissioner Hattan.

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

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

Visitors: Lori Ade, Mary Kuhn, Larry Remmenga, Rob Mahan, Charlie Stryker, Kelly Guerrero and Armand Balthazor.

Minutes of the June 18 and 25, 1997 meetings were approved as written.

### APPROPRIATION ORDINANCE NO. 12

APPROVED

Appropriation Ordinance No. 12 was approved according to law.

### PERSONNEL REVIEW BOARD APPOINTMENT

JANICE DETHLOFF

Acting City Manager Sedlacek advised the commission that Janice Dethloffs' term had expired and she is willing to continue to serve on the Personnel Review Board. Commissioner Robbins moved to appoint Janice Dethloff to the Personnel Review Board from July 97 to July 99. Commissioner Bombardier seconded. Motion carried.

### WASTEWATER TREATMENT PLANT UPDATE

Acting City Manager Sedlacek advised the commission that she had sent out information on the wastewater treatment plant disinfection improvement project and that a group of people were present to answer any questions. Larry Remmenga, Director of Utilities, advised that they have met almost every week since April. That the group tentatively come up with numbers of what they would like to see done, then the group cut out everything they could. Commissioner Robbins asked what the population the current system was put in for. Larry Remmenga, Director of Utilities, advised that the building was built to handle alot more daily flow then what we have now. Commissioner Robbins asked if the revision was the same size. Mr. Remmenga advised that it was. Charlie Stryker, CAS, advised that the focus was on UV disinfection, the Department of Health's demands and some maintenance type issues. Mr. Stryker advised that in addition to the work session, the city staff has gone to look at some of the UV disinfection systems that are in use. Mr. Stryker advised that from a cost stand point, we could use the existing buildings and use a closed system, which would be less maintenance and headaches. Mr. Stryker advised that city staff has gone through this in detail and the current plan is to have a formal proposal for the commissions to review and take action at the July 16, 1997 meeting.

### ORDINANCE NO. 2673(SUPPLEMENTAL DOG REGULATIONS)

PASSED

An Ordinance entitled "AN ORDINANCE PROVIDING SUPPLEMENTAL REGULATIONS AS TO THE OWNING, HARBORING, KEEPING OR POSSESSING OF DOGS; AND PROVIDING THE DETAILS OF SUCH REGULATIONS; AND AMENDING THE CONCORDIA CODE BY ADDING A SECTION TO BE NUMBERED 5-37, was read and considered by the commission. On roll call upon its passage the following Commissioners voted "Yea": Commissioners Bombardier and Robbins. "Nay": None. With all of the Commission-elect having voted in favor thereof, the ordinance was declared passed, the titled agreed to and the City Clerk assigned to it No. 2673.

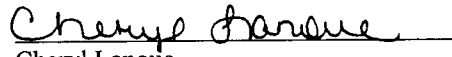
### PUBLIC COMMENTS

Armand Balthazor asked if the city knew what the estimate was for the wastewater plant. Commissioners Bombardier and Robbins both responded that on July 16, 1997 the city would know in the proposal.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 2, 1997 CONT.

Mr. Balthazor asked for the copies of the ten (10) questions that the city asked the city manager applicants. City Attorney Retter asked Mr. Balthazor if he was asking for the same questions that the Concerned Citizens were, they sent the city a request for information and he was responding. City Attorney Retter advised that we have an open records request pending from the Concerned Citizens, that asked the same question and it also asked for a copy of the contract, if we had one. Mr. Retter advised that there was no problem disclosing the terms of the contract. The terms being the city had eight (8) applicants at \$175 a tape and that was done administratively by the City Manager. The other aspect of it is that there are some internal memorandum that the city is entitled to keep internal, the main reason is that the city has paid money to get the questions setup to ask the applicants, if we have to interview applicants again, then we have to pay people to setup questions again because the old ones would be already out.

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

  
Cheryl Lanoue  
City Clerk

(Seal)

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 16, 1997

The governing body met in regular session on July 16, 1997, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan and Bombardier. Commissioner Robbins arriving at 4:15 p.m.

Absent: None.

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

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

Visitors: Lori Ade, Larry Remmenga, Marie Dale, Lyle Pounds, Leland Tice, Jeff Woodward, Judith A. McKee, Kirk Lowell and Armand Balthazor.

Minutes of the July 2, 1997 meetings were approved as written.

### APPROPRIATION ORDINANCE NO. 13

APPROVED

Appropriation Ordinance No. 13 was approved according to law.

### SECOND QUARTER INVESTMENT REPORT

ORDERED PLACED ON FILE

Acting City Manager Sedlacek presented the second quarter investment report for 1997 per Ordinance No. 1860. Total interest received for the second quarter of 1997 was \$9,298.05 compared to \$14,637.86 for 1996. Following discussion, Commissioner Bombardier moved to place on file the second quarter investment report. Commissioner Hattan seconded. Motion carried.

### AMBULANCE CHARGE-OFFS

ORDERED PLACED ON FILE

Acting City Manager Sedlacek advised that staff has prepared the ambulance charge-offs for 1994 - 14%, 1995 - 17% and 1996 - 21%. In most cases the charge-off amounts are those amounts between the actual amount billed and the amount authorized for payment by Medicare, Medicaid and Blue Cross/Blue Shield. Following discussion, Commissioner Bombardier moved to accept the ambulance charge-off records and ordered them placed on file. Commissioner Hattan seconded. Motion carried.

### RESOLUTION NO. 1200 (233 W 3RD)

NUISANCE ABATEMENT

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

1. 233 W 3rd - Resolution No. 1200

Acting City Manager advised the Commission of the property.

No one was present to represent the property owner.

Commissioner Bombardier moved and seconded by Commissioner Hattan to approve Resolution No. 1200 with no additional time. Motion carried.

### AIRPORT POND UPDATE WITH KIRK LOWELL

Kirk Lowell, Cloudcorp, updated the Commission on the Airport Pond status and advised that he had been in contact with Larry Eubanks, Kansas National Guard, and Larry thought that the Kansas National Guard might do the dirt work. Kirk advised that there are a lot of trees that need to be cut down in the dam area, before the dirt work could begin.

### US 81 UPDATE WITH LELAND TICE AND JEFF WOODWARD

Leland Tice, with KDOT, advised the Commission that the bid letting would be March of 1998 for the portion through Concordia. Currently 50% of the utilities have been relocated and the expected completion date for that would be November, 1997. The signing of the contract with a Contractor for the portion through Concordia would be sometime in April or May, 1998. The completion of the project through Concordia would be approximately May 27, 1999. Mr. Tice advised that Tenth Street would be closed and there would be stop lights at 6th, 11th and 15th street. The completion date for south of Concordia would be Fall of 1998. Acting City Manager Sedlacek asked Mr. Tice if the break away poles for lighting on US 81 were a requirement or recommendation by KDOT. Mr. Tice advised if the break away poles are in the clear zone they are required.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 16, 1997, CONT.**

**UPDATE ON WATER/SEWER RELOCATION**

Larry Remmenga, Director of Utilities, advised the Commission that on Twelfth Street the construction company is boring under the highway for the sewer and water line. Mr. Remmenga advised that Allied would have a crew here the 21st of July to start the relocation and another crew on July 28th.

**MANAGER'S REPORT**

Acting City Manager Sedlacek said "With this being my last regular Commission meeting, I would like to take this opportunity to thank the City of Concordia for my four years of employment. I have learned so many things here that will benefit me both personally and professionally. I would also like to extend my most heartfelt appreciation to our City Staff. The support shown to me by our department heads and line employees has been tremendous and for that I will always be grateful. I truly wish the City of Concordia only the best and thank you again."

**UPDATE ON WATER USAGE**

Larry Remmenga, Director of Utilities, advised the Commission that water usage was up to 83.3% of maximum capacity. The wells are currently pumping just over 1.9 million gallons a day and maximum is just under 2.4 million gallons per day.

**STUDY SESSION TIME SET**

Mayor Hattan announced that July 22 and 23 at 6:00 p.m. would be the study session time to do budget preparations.

**PUBLIC COMMENTS**

Armand Balthazor asked if they had made a decision of the copy charge. Mayor Hattan advised that they had not.

**COMMISSION INTO EXECUTIVE SESSION**

At this time Commissioner Hattan moved that the commission recess into executive session for forty (40) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 4:50 p.m.

The commission reconvened at 5:30 p.m.

Commissioner Hattan moved to recess for an additional thirty (30) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 5:30 p.m.

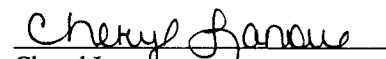
The commission reconvened at 6:00 p.m.

Commissioner Bombardier moved to recess for an additional twenty (20) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 6:00 p.m.

The commission reconvened at 6:20 p.m.

Mayor Hattan announced that the Commission had been discussing non-elected personnel and no action had been taken.

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

  
Cheryl Lanotte  
City Clerk

(Seal)



MINUTES OF THE SPECIAL CITY COMMISSION MEETING HELD JULY 31, 1997

The governing body met in special session on July 31, 1997, at 12:40 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan and Bombardier. Absent: Commissioner Robbins.

Other Officers present: City Attorney Retter and City Clerk Lanoue.

Visitors Present: Dallas Nading, KNCK.

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

TO THE BOARD OF COMMISSIONERS:

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

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

Date: July 31, 1997

Time: 12:00 o'clock p.m.

The object of said meeting will be as follows:

1. Call to order.
2. Consideration of the appointment of an Acting City Manager.
3. Adorn.

DATED this 31st day of July, 1997.

/s/ Gregory L. Hattan

Gregory L. Hattan, Mayor

/s/ Isadore Bombardier

Isadore Bombardier, Commissioner

LaVern Robbins, Commissioner

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

We, the undersigned, who are all of the members of the City Commission of the City of Concordia, Kansas, being the governing body thereof, hereby agree that a special meeting of said governing body shall be held in the City Commission Room, City Hall, Concordia, Kansas, at 12:00 o'clock p.m., on July 31, 1997, for the following purpose:

Consideration of the appointment of an Acting City Manager.

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

Dated this 31st day of July, 1997.

/s/ Gregory L. Hattan

Gregory L. Hattan

/s/ Isadore Bombardier

Isadore Bombardier

LaVern Robbins

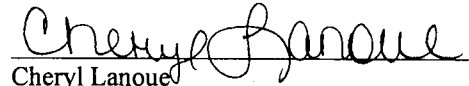
**MINUTES OF THE SPECIAL COMMISSION MEETING HELD JULY 31, 1997**

**APPOINTMENT OF ACTING CITY MANAGER**

**DAVID RETTER**

Mayor Hattan moved to appoint City Attorney Retter as Acting City Manager until August 6, 1997. Commissioner Bombardier seconded. Motion carried.

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

  
Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 6, 1997**

The governing body met in regular session on August 6, 1997, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Robbins and Bombardier.

Absent: None.

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

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

Visitors: Lori Ade, Larry Remmenga, Marie Dale, Judith A. McKee, Kirk Lowell, Tom Fisher, Bob Burns, Burl Maley, Rob Mahan, Kelly Guerrero, Charlie Stryker, Randel Barnhart, Jim Wilson, Karen Brown, Brenda Losh, Eric Johnson, Mary Kuhn and Armand Balthazor.

Minutes of the July 16 regular meetings and July 31, 1997 special call meeting were approved as written.

APPROPRIATION ORDINANCE NO. 14

APPROVED

Appropriation Ordinance No. 14 was approved according to law.

AIRPORT ADVISORY APPOINTMENT

RICK BREAUT

Staff has contacted Rick Breault and he is willing to continue serving on the Airport Advisory Board. Commissioner Bombardier moved to appoint Rick Breault until July of 2001. Commissioner Robbins seconded. Motion carried.

RESOLUTION NO. 1201(SEWER UTILITY SYSTEM REVENUE BONDS)

PASSED

Thereupon there was presented a Resolution entitled:

A RESOLUTION DECLARING IT NECESSARY TO REPAIR, ALTER, EXTEND, RECONSTRUCT, ENLARGE OR IMPROVE THE SEWER UTILITY SYSTEM OF THE CITY OF CONCORDIA, KANSAS; TO ISSUE SEWER UTILITY SYSTEM REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$785,000, FOR THE PURPOSE OF PAYING ALL OR A PORTION OF THE COSTS THEREOF AND RELATED BOND RESERVES AND FINANCING COSTS; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID INTENTION.

Thereupon Commissioner Bombardier moved that said Resolution be adopted. The motion was seconded by Commissioner Robbins. 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: Commissioner Hattan, Bombardier and Hattan.

Nay: None.

Thereupon, the Resolution having been received at least two-thirds (2/3rds) majority vote of the members of the governing body, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 1201 and was signed by the Mayor and attested by the Clerk. The Clerk was further directed to cause the publication of a Notice of the intent of said Resolution one time in the official city newspaper as required by law and provided by said Resolution, said Notice to be in the form attached hereto and made a part hereof by reference as though fully set out herein.

WWTP CONSTRUCTION CONTRACT (CAS)

AUTHORIZED

City Attorney Retter advised the commission that he had reviewed the documents and he had no objections. Charlie Stryker, CAS, advised what the project entailed, which was a UV disinfection required by the Kansas Department of Health and Environment and upgrades of facility. Following discussion, Commissioner Bombardier moved to authorize the Mayor and City Clerk to sign the contract and any other necessary documents.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 6, 1997 CONT.**

**REVOLVING LOAN PUBLIC HEARING(KAREN BROWN)**

**HELD AND APPROVED**

Mayor Hattan opened the public hearing for the revolving loan applicant Karen Brown. Kirk Lowell, Clouddcorp, advised the commissioners that Clouddcorp Finance Committee approved a loan in the amount of \$20,000. The Concordia Revolving Loan Fund would have a 6% fixed interest rate and a seven (7) year term, payments would be structured as interest only payment for the first six (6) months then \$310.35 monthly principal and interest payments for the remaining 78 months. Mr. Lowell advised of the requirements and documentation and the deviation from the Concordia Revolving Loan Fund Application. Following discussion, Commissioner Bombardier moved to close the public hearing and approved the loan application. Commissioner Robbins seconded. Motion carried.

**POLICE DEPARTMENT RELOCATION**

**APPROVED**

Burl Maley, Chief of Police, advised that Eric Johnson and himself had met with Ron Solt and Greg Hood. Both are bondable for the project and are willing to work on a cost plus basis. Both said that they would sub contract the electrical, mechanical, plumbing and communications work to John Hood. Both would be able to start around the 1st of September with a year end completion date. Commissioner Hattan moved to contract with Ron Solt to do the remodeling of City Hall for the Police Department. Commissioner Robbins seconded. Commissioner Bombardier abstaining. With two-thirds (2/3rds) majority vote of the members of the governing body motion carried.

**INDEMNITY AGREEMENT(BRENDA SEDLACEK)**

**APPROVED**

City Attorney Retter advised the Commissioners that the indemnity agreement for former Acting City Manager Sedlacek requires that government entities to provide a defense and pay the judgment for a claim for actual damages against an employee arising out of an act which occurred in the scope of the employment and absent actual fraud or malice on the part of the employee. Commissioner Robbins moved to approve the indemnity agreement. Commissioner Bombardier seconded. Motion carried.

**ORDINANCE NO. 2674(VACATING PORTION OF VALLEY ST)**

**PASSED**

An Ordinance entitled "AN ORDINANCE PURSUANT TO K.S.A. 14-423, ET SEQ., AS AMENDED, VACATING A PORTION OF VALLEY STREET, was read and considered by the commission. On roll call upon its passage the following Commissioners voted "Yea": Commissioners Hattan, Bombardier and Robbins. "Nay": None. With all the Commission-elect having voted in favor thereof, the ordinance was declared passed, the title agreed to and the city clerk assigned to it No. 2674.

**PUBLIC COMMENTS**

Armand Balthazor said that it looked like the City was having a hard time finding a City Manager. Mayor Hattan advised that the commission had looked at a number of applications. Mr. Balthazor said that he has heard nothing but good comments about the local applicant and maybe the commission should strongly consider him.

**APPOINTMENT OF CITY MANAGER**

**DAVID RETTER**

City Attorney and Acting City Manager Retter advised the commission that he would continue to be acting city manager at no additional cost over and above his compensation as city attorney. Commissioner Bombardier moved to appoint Mr. Retter as Acting City Manager until the commission fills the vacancy. Commissioner Robbins seconded. Motion carried.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 6, 1997 CONT.**

**EXECUTIVE SESSION NON-ELECTED PERSONNEL**

At this time Commissioner Hattan moved that the commission recess into executive session for thirty (30) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 4:45 p.m.

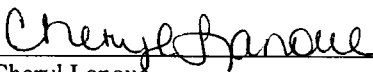
The commission reconvened at 5:15 p.m.

Commissioner Hattan moved to recess for an additional thirty (30) minutes to continue the discussion of non-elected personnel. Commissioner Bombardier seconded. Motion carried. Time: 5:15 p.m.

The commission reconvened at 5:45 p.m.

Mayor Hattan announced that the Commission had been discussing non-elected personnel and no binding action had been taken.

There being no further business, Commissioner Hattan moved to adjourn the meeting to August 13, 1997, at 6:30 p.m. at the City Commission room in the City Hall. Commissioner Robbins seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD AUGUST 13, 1997**

The governing body met in regular session on August 13, 1997, at 6:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Robbins and Bombardier.

Absent: None.

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

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

Visitors: Larry Remmenga, Marie Dale, Kirk Lowell, Burl Maley, Walt Huber and Armand Balthazor.

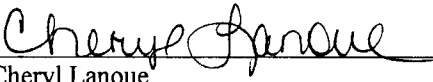
**EXECUTIVE SESSION NON-ELECTED PERSONNEL**

At this time Commissioner Hattan moved that the commission recess into executive session for thirty (30) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 6:45 p.m.

The commission reconvened at 7:15 p.m.

Mayor Hattan announced that the Commission had been discussing non-elected personnel and no binding action had been taken.

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

  
Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 20, 1997**

The governing body met in regular session on August 20, 1997, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Robbins and Bombardier.

Absent: None.

Other Officers: City Clerk Lanoue.

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

Visitors: Lori Ade, Larry Remmenga, Marie Dale, Judith A. McKee, Tom Fisher, Bob Burns, Burl Maley and Mary Kuhn .

Minutes of the August 6 regular meeting and August 13, 1997 adjourned meeting were approved as written.

APPROPRIATION ORDINANCE NO. 15

APPROVED

Appropriation Ordinance No. 15 was approved according to law.

HEARING ON 1998 CITY BUDGET

HELD

Mayor Hattan opened the 1998 Budget Hearing as required by state statute.

Mayor Hattan asked if there were any questions from the public. There were no questions.

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

ORDINANCE NO. 2675(1998 CITY BUDGET)

ADOPTED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE APPROVING, ADOPTING AND APPROPRIATING BY FUND THE CITY OF CONCORDIA FOR THE YEAR BEGINNING JANUARY 1, 1998, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS.

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

Aye: Commissioners Hattan, Bombardier and Robbins.

Nay: None.

Thereupon, the Ordinance having been received by at least two-thirds (2/3rds) majority vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2675 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 1202(CLASSIFIED EMPLOYEES)

PASSED

Thereupon there was presented a Resolution entitled:

A RESOLUTION ESTABLISHING A SCHEDULE OF PAY GRADES FOR CLASSIFIED EMPLOYEES OF THE CITY OF CONCORDIA.

Thereupon, Commissioner Bombardier moved that said Resolution be adopted. The motion was seconded by Commissioner Robbins. 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: Commissioners Hattan, Bombardier and Robbins.

Nay: None.

Thereupon, the Resolution having been received by at least two-thirds (2/3rds) majority vote of the members of the governing body, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 1202 and was signed by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUG. 20, 1997 CONT

RESOLUTION NO. 1203(NON-CLASSIFIED EMPLOYEES)

PASSED

Thereupon there was presented a Resolution entitled:

A RESOLUTION ESTABLISHING A SCHEDULE OF PAY GRADES FOR NON-CLASSIFIED EMPLOYEES OF THE CITY OF CONCORDIA.

Thereupon, Commissioner Bombardier moved that said Resolution be adopted. The motion was seconded by Commissioner Robbins. 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: Commissioners Hattan, Bombardier and Robbins.

Nay: None.

Thereupon, the Resolution having been received by at least two-thirds (2/3rds) majority vote of the members of the governing body, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 1203 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 1204(AMENDMENT NO. 1 TO CAFETERIA PLAN)

PASSED

Thereupon there was presented a Resolution entitled:

A RESOLUTION AMENDMENT NO. 1 TO THE CITY OF CONCORDIA CAFETERIA PLAN, EFFECTIVE JANUARY 1, 1997, PRESENTED TO THE GOVERNING BODY OF SAID CITY AS OF THE DATE NOTED BELOW IS HEREBY APPROVED AND ADOPTED AND THE MAYOR AND CITY CLERK OF SAID CITY ARE HEREBY AUTHORIZED AND DIRECTED TO EXECUTE AND DELIVER TO ADMINISTRATOR PLAN ONE OR MORE COUNTERPARTS OF THE AMENDMENT.

Thereupon, Commissioner Bombardier moved that said Resolution be adopted. The motion was seconded by Commissioner Robbins. 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: Commissioners Hattan, Bombardier and Robbins.

Nay: None.

Thereupon, the Resolution having been received by at least two-thirds (2/3rds) majority vote of the members of the governing body, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 1204 and was signed by the Mayor and attested by the Clerk.

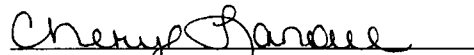
PUBLIC COMMENTS

Mayor Hattan asked if there were any public comments. There were none.

NEWS MEDIA COMMENT

Lori Ade, KNCK, asked how the search for a City Manager was going. Mayor Hattan advised that they haven't had any luck.

There being no further business, Commissioner Robbins moved to adjourn the meeting to August 27, 1997, at 6:30 p.m. at the City Commission room in the City Hall. Commissioner Bombardier seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)



**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD AUGUST 27, 1997**

The governing body met in adjourned session on August 27, 1997, at 6:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Robbins and Bombardier.

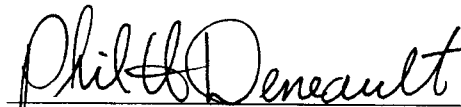
Absent: None.

Other Officers: Deputy City Clerk Deneault.

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

Visitors: Marie Dale, Judith McKee, Bob Burns, Kirk Lowell, Burl Maley, and Armand Balthazor.

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



Phil Deneault  
Deputy City Clerk

(Seal)

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 3, 1997

The governing body met in regular session on September 3, 1997, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Robbins and Bombardier.

Absent: None.

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

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

Visitors: Dallas Nading, Larry Remmenga, Marie Dale, Judith A. McKee, Kirk Lowell, Tom Fisher, Bob Burns, Burl Maley, Brad Lowell, Eric Johnson, Ken Campbell and Armand Balthazor.

Minutes of the August 20 regular meeting and August 27, 1997 adjourned meeting were approved as written.

### APPROPRIATION ORDINANCE NO. 16

APPROVED

Mayor Hattan advised that the training in the Fire Department would be handled administratively and that the commission wished to revisit the cellular phones subject. Following discussion, Appropriation Ordinance No. 16 was approved according to law.

### VOTING DELEGATES TO 1997 LEAGUE CONFERENCE

Commissioner Hattan moved to appoint Isadore Bombardier and David Retter, as voting delegates to the 1997 League Conference and Burl Maley and Judith McKee as alternate voting delegates. Commissioner Robbins seconded. Motion carried.

### ENGINEERING FOR 11TH STREET TO CITY LIMITS

APPROVED

Acting City Manager Retter advised the commission that the city needed to do some engineering on 11th Street to the city limits for a 80/20 grant. Commissioner Bombardier moved to approve the spending for engineering cost on 11th street to the city limits. Commissioner Robbins seconded. Motion carried.

### PUBLIC COMMENTS

Armand Balthazor advised that he had looked at the five (5) year Capital Improvement Plan and added the cost up to approximately 6 million. Mr. Balthazor asked where the money was to come from. Commissioner Hattan advised that several of the projects wouldn't be done and that some of the projects are out of the operating budget and some were suggested to be bonded. City Attorney & Acting City Manager Retter advised that the Capital Improvement Plan was information for the commission of what might happen in the future. Mr. Balthazor advised that there has to be a solution to start cutting.

Mr. Balthazor asked about the City Manager position. Mayor Hattan advised that the commission is looking.

### EXECUTIVE SESSION NON-ELECTED PERSONNEL

At this time Commissioner Hattan moved that the commission recess into executive session for thirty-five (35) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 4:35 p.m.

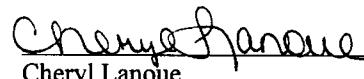
The commission reconvened at 5:15 p.m.

Commissioner Hattan moved to recess for an additional fifteen (15) minutes to continue the discussion of non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 5:15 p.m.

The commission reconvened at 5:30 p.m.

Mayor Hattan announced that the Commission had been discussing non-elected personnel and no binding action had been taken.

There being no further business, Commissioner Hattan moved to adjourn the meeting to September 10, 1997, at 6:30 p.m. in the City Commission room in the City Hall. Commissioner Robbins seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD SEPT. 10, 1997**

The governing body met in adjourned session on September 10, 1997, at 6:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Robbins and Bombardier.

Absent: None.

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

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

Visitors: Marie Dale, Judith McKee, Kirk Lowell, Ron Solt, Paul Colster and Armand Balthazor.

**EASEMENT REQUEST(BLOSSER)**

**APPROVED**

Acting City Manager Retter advised the commission that Beldon Blosser and KP&L were requesting an easement, at the location Mr. Blosser's new residence. Commissioner Bombardier moved to authorize the Mayor and City Clerk to sign the easement request. Commissioner Robbins seconded. Motion carried.

**EASEMENT FROM BLOSSER ON 21ST ST & WASHINGTON**

**ACCEPTED**

Acting City Manager Retter advised the commission that Beldon Blosser would be giving easement for 21st Street and portion of Washington for all utilities. Kirk Lowell showed the commission a map of the easement. Commissioner Robbins moved to accept the easement from Mr. Blosser. Commissioner Bombardier seconded. Motion carried.

**DISCUSSION OF CITY HALL REMODEL**

Acting City Manager Retter advised that he hoped that the contracts would be ready for approval, with exception of electrical engineering plans that are not complete. Mr. Retter also advised that there might be change orders on the electrical, but it would not be big.

**DISCUSSION ON SEWER TREATMENT PLANT**

Acting City Manager Retter advised that there was going to be a regular progress meeting and the pay request was going to be talked about. Mr. Retter also advised that the City received the rate study from, Kansas Rural Water and that we mailed it to George K. Baum & Co. for them to add in the additional debt. Mr. Retter hoped that we would have information back to the commission on September 24, 1997.

Mayor Hattan asked about the Grant and/or Loan. Mr. Retter advised that the water/sewer rates in the City are lower and the City has to meet certain requirements and rates are one of those requirements.

**DISCUSSION ON CELLULAR PHONES**

Mayor Hattan asked about the cellular phones. Mr. Retter advised that the gray car doesn't have a phone in it, it is a bag phone. The handheld phone has a twelve (12) month contract which doesn't expire until May 1998. Mayor Hattan asked for staff to prepare a schedule of all cellular phones with the monthly cost.

**DISCUSSION ON ARSON INVESTIGATOR SCHOOL**

Mayor Hattan asked about the arson investigator school. Mr. Retter advised that there are two (2) parts to the school and that the second half of the school is a month long. Mr. Retter said that Mr. Maley, Chief of Police doesn't have the extra staff to have any detective gone for that long. Mr. Retter also advised that there are some concerns about coverage and overtime, if we don't have an arson investigator. Mayor Hattan advised that we always refer to the State Fire Marshal when we have a fire, so he didn't understand the overtime concerns.

**DISCUSSION ON ALLIED, INC.**

Commissioner Robbins asked about the status of the contractor doing the utility relocation. Mr. Retter advised that he has sent out a letter expressing concerns regarding the contractor pulling off the job and that it would be highly unlikely that the City would consider any waiver of delay damages in the event of a subsequent request to extend the time to complete this project.

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD SEPT. 10, 1997 CONT.**

**MAYOR'S COMMENT**

Mayor Hattan announced that the Commission would be attending the County Commission meeting on Monday between 10:00 a.m. and 11:00 a.m.

**PUBLIC COMMENTS**

Armand Balthazor asked when the 1996 audit would be done. Mayor Hattan advised that City Clerk Lanoue would call Kennedy and Coe. Mr. Balthazor also commented about the cellular phones, that at first there were only to be two (2) and now there are several.

**EXECUTIVE SESSION - NON-ELECTED PERSONNEL**

At this time Commissioner Hattan moved that the commission recess into executive session for fifty (50) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 7:10 p.m.

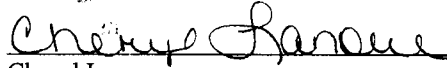
The commission reconvened at 8:00 p.m.

Commissioner Hattan moved to recess for an additional thirty (30) minutes to continue the discussion of non-elected personnel. Commissioner Bombardier seconded. Motion carried.

The commission reconvened at 8:25 p.m.

Mayor Hattan announced that the Commission had been discussing non-elected personnel and no binding action had been taken.

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

  
Cheryl Lanoue  
City Clerk

(Seal)

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 17, 1997

The governing body met in regular session on September 17, 1997, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Robbins and Bombardier.

Absent: None.

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

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

Visitors: Lori Ade, Larry Remmenga, Marie Dale, Judith A. McKee, Kirk Lowell, Tom Fisher, Bob Burns, Burl Maley, Brad Lowell, Eric Johnson, Philip Kloster, Vince Crough and Armand Balthazor.

### EXECUTIVE SESSION - NON-ELECTED PERSONNEL

At this time Commissioner Hattan moved that the commission recess into executive session for ten (10) minutes to discuss non-elected personnel. Commissioner Bombardier seconded. Motion carried. Time: 4:05 p.m.

The commission reconvened at 4:15 p.m.

Mayor Hattan announced that the commission had been discussing non-elected personnel and no binding action had been taken.

Minutes of the September 3, 1997 regular meeting and September 10, 1997 adjourned meeting were approved as written.

### APPROPRIATION ORDINANCE NO. 17

APPROVED

Appropriation Ordinance No. 17 was approved according to law.

### WASTEWATER TREATMENT FACILITY IMPROVEMENTS(NOTICE TO PROCEED) APPROVED

Acting City Manager Retter advised that the contract had been signed with CAS Construction and the City has on file the performance and maintenance bond. Following discussion, Commissioner Robbins moved to authorize the Mayor to sign the Notice to Proceed. Commissioner Bombardier seconded. Motion carried.

### RELOCATION OF POLICE DEPARTMENT

TABLED

Commissioner Bombardier asked that since we are in the process of hiring a City Manager and that Commissioner Bombardier has concerns about it, he would like to make a motion to delete items C, D and E until the new City Manager, Police Chief and David Retter can look into this. Commissioner Bombardier advised that he feels that Campbell & Johnson are uncomfortable with the discussion of proceeding. Commissioner Robbins advised that time is of the essence right now. Commissioner Hattan advised that he read the letter from Eric Johnson, with Campbell & Johnson, and that he has some frustrations about the project. Commissioner Hattan advised of several projects that were frustrating, but we still worked through them. Commissioner Hattan advised that unless there are some serious objections from the staff that we should do the best we can. Acting City Manager Retter advised that the resolution authorizing the City Hall remodeling project is a financing resolution and we have not received it from Gilmore and Bell, the resolution adopting the capital improvement plan is a requirement of the bank and the contract with the contractor on the City Hall Project is going to be given to Mr. Solt, Mr. Hood and Campbell & Johnson for them to look at. Eric Johnson had advised Mr. Retter that the mechanical drawing is not complete and Mr. Hood is okay with the drawings and he could start. Mr. Retter advised that he is going to have a meeting with Mr. Solt, Mr. Hood and Mr. Johnson to go over the contract. The contract would be a short form contract with a guaranteed price. Commissioner Hattan advised that he feels very confident with Campbell & Johnson and the contractors. Eric Johnson made several comments about his frustrations with the project. Eric advised that we can do, but he doesn't like to put the cart before the horse. Mr. Kloster advised that it appears to him that there are some concerns about the project after hearing about the deal with the county, in his opinion, they have had the best deal in the past. If a week or two would be sufficient, Mr. Kloster would like to counsel the commission. Commissioner Hattan moved to table the Resolution Authorizing the Financing, Resolution Adopting the Capital Improvement Plan and signing a contract with Contractor on City Hall Remodel until next week. Commissioner Robbins seconded. Motion carried.

Commissioner Robbins leaving at 4:30 p.m.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPT. 17, 1997 CONT.**

MOUNT JOSEPH BONDS

APPROVED

Acting City Manager Retter advised that K. Scott Matthews, Corporate Trust Officer of UMB, has notified the City that the City needs to register the bonds. Following discussion, Commissioner Bombardier moved to authorize the Mayor and City Clerk to register the Industrial Revenue Bonds, Series A, 1984. Commissioner Hattan seconded. Motion carried.

CITY MANAGER CONTRACT

PHIL KLOSTER

Acting City Manager Retter advised that the City has a draft manager arrangement. Mr. Retter advised that Mr. Kloster was interviewed by the commission last week and since that time he has drafted an employment contract for the commission's consideration. Commissioner Hattan advised that Mr. Kloster was a City Manager in Wayne, Nebraska for nine(9) years and followed that with seven (7) years in Newton, Kansas. The City of Newton won several awards during his tenure. Commissioner Bombardier moved to authorize the Mayor and City Clerk to sign the Employment Contract with Philip Kloster. Commissioner Hattan seconded. Motion carried.

Mr. Kloster advised that we have a very nice community. Mr. Kloster's philosophy is to do the right thing the first time and do the best we can. Mr. Kloster advised that he was looking forward to working with the commission and community and hopefully work can be done together to make this a better place.

Commissioner Bombardier wanted to thank David Retter for the days he put in as Acting City Manager.

RESOLUTION NO. 1205(CEMETERY ENDOWMENT)

APPROVED

Acting City Manager Retter advised the Commission that UMB Bank has requested the City to update the signature card for the Cemetery Endowment Fund. Commissioner Hattan moved to authorize the City Clerk and/or City Treasurer as agents for the Cemetery Endowment Fund. Commissioner Bombardier seconded. Motion carried.

ACTING CITY MANAGER RETTER COMMENTS

Acting City Manager Retter wanted to thank the commission for having him serve as Acting City Manager and that this was a learning experience for him.

PUBLIC COMMENT

Armand Balthazor advised the commission that he had a hard time getting the 1996 audit and maybe our new City Manager will have better luck. Commissioner Hattan advised that this is Kennedy and Coe's last year to do the audit. City Clerk Lanoue advised she had contacted Robert Steimel, of Kennedy and Coe, and he advised that the City audit possibly would be done by the end of the month.

Mr. Balthazor then asked if the City has had any progress in combining the Fire and Police Departments. Commissioner Hattan advised that the City is currently trying to host an EMT class that would be offered to both the volunteers and the Police Department. Commissioner Hattan advised that the City's first step is to get more EMTs trained the next step is having the Police Department located at City Hall and when the Police Department is located at City Hall there will be more cross training.

Commissioner Hattan advised that the commission are players in this study that Cloud County is doing. Mr. Balthazor advised that the Police Department had too large a budget and in the Fire Department he thinks there are places that we can cut. Robert Burns, Acting Fire Chief, advised that the Police and Fire Department have never worked better than they are now. Mr. Balthazor asked about the county. Burl Maley, Police Chief, advised that the Police Department and the Sheriff Department have a working relationship.

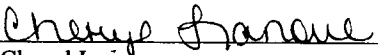
Vince Crough, Police Officer, advised that the Police Officers and the Firefighter/EMTs have a working relationship and if you go out during the day or night you will see that relationship. Mr. Cough also commented that they work hand in hand and do what's best for the public.

Vince Crough advised the commission that there is some building going on at the Sports Complex for shade in the Pee Wee area and the things that are being built are not tax dollars. Mr. Crough

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPT. 17, 1997 CONT.**

summer. Mr. Crough advised that there is alittle over \$3,000 in the account. Mr. Crough advised that the Pee Wee association has raised \$1,400 and is going to put it in the Special Project fund.

There being no further business, Commissioner Hattan moved to adjourn the meeting to September 24, 1997, at 6:30 p.m. in the City Commission room in the City Hall. Commissioner Bombardier seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)



**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD SEPT. 24, 1997**

The governing body met in adjourned session on September 24, 1997, at 6:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan and Robbins.

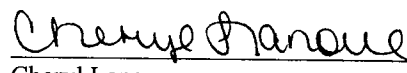
Absent: Commissioner Bombardier.

Other Officers: City Manager Kloster and City Clerk Lanoue.

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

Visitors: Judith McKee, Kirk Lowell, Ron Solt, Robert Burns, Burl Maley and Armand Balthazor.

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

  
Cheryl Lanoue  
City Clerk

(Seal)

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 1, 1997

The governing body met in regular session on October 1, 1997, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan and Bombardier.

Absent: Commissioner Robbins.

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

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

Visitors: Lori Ade, Larry Remmenga, Kirk Lowell, Bob Burns, Burl Maley, Brad Lowell and Armand Balthazor.

### APPROPRIATION ORDINANCE NO. 18

APPROVED

Appropriation Ordinance No. 18 was approved according to law.

### RESOLUTION NO. 1206 - 233 W. 3RD (ABATEMENT ASSESSMENT)

PASSED

City Manager Kloster advised that Resolution No. 1200 was passed on July 16, 1997 for the property owner to abate the nuisance at 233 W. 3rd. The nuisance was not abated and the Concordia Public Grounds Department abated the nuisance. The property owner was billed \$252.50 on August 6 and September 1, 1997 and the bill remains unpaid. Staff is recommending the City Commission consider passing a resolution to assess the amount of \$252.50 to the property taxes of the property owner. Commissioner Bombardier moved to pass Resolution No. 1206 assessing the amount of \$252.50 to the property owner. Commissioner Hattan seconded. Motion carried.

### RESOLUTION NO. 1207 (702 E. 5TH)

NUISANCE ABATEMENT

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

1. 702 E. 5th - Resolution No. 1207

City Manager Kloster advised the Commission of the property.

No one was present to represent the property owner.

Commissioner Hattan moved and seconded by Commissioner Bombardier to approve Resolution No. 1207 with no additional time. Motion carried.

### MAYOR COMMENTS

Mayor Hattan asked Bob Burns, Acting Fire Chief, why the ambulance was not go to the football games.

Mr. Burns advised the Commission that a problem arose at the fairground races, when people started threatening and taunting the EMTs. The problem was discussed in Department Head meeting and decided that the ambulance would not attend any of the events, but a list of EMTs would be given to all of the event directors, so that they could contact them directly. Mr. Burns stated that he had talked to the Fairboard and the High School Football Coach and they were okay with this arrangement. Mr. Burns advised that the EMTs that worked the event could take the department car, jump bag and radio and so far there has been coverage at all the football games.

Mr. Burns also advised that the EMT Class would start the 2nd week in January.

### PUBLIC COMMENTS

Armand Balthazor asked when the cellular phones were going to be discontinued. Commissioner Hattan advised that we were still studying it.

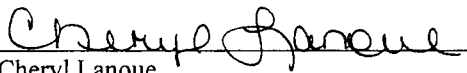
**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCT. 1, 1997 CONT.**

**CITY MANAGER'S COMMENTS**

City Manager Kloster advised the commission of the following items:

1. The first meeting of the consolidation of the City/County Public Safety would be tonight at 5:30 p.m. Staff has met with the Docking Institute staff and the Docking Institute staff would be developing a list of options. He said that this is the first step in a long process.
2. He would be meeting with the Library Board next week.
3. The City would have an outside agency do a rate study on the utilities that should be completed no later than December 31, 1997.
4. Staff has looked at the uniform policy and made some changes to save the city approximately \$700 a year.
5. The City has received a proposal from a local Church, to rent the community room for \$50 per Sunday for the next two years. This would be approximately \$2,500 a year in revenue.

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

  
Cheryl Lanoue  
City Clerk

(Seal)

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 1, 1997

The governing body met in regular session on October 1, 1997, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan and Bombardier.

Absent: Commissioner Robbins.

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

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

Visitors: Lori Ade, Larry Remmenga, Kirk Lowell, Bob Burns, Burl Maley, Brad Lowell and Armand Balthazor.

### APPROPRIATION ORDINANCE NO. 18

APPROVED

Appropriation Ordinance No. 18 was approved according to law.

### RESOLUTION NO. 1206 - 233 W. 3RD (ABATEMENT ASSESSMENT)

PASSED

City Manager Kloster advised that Resolution No. 1200 was passed on July 16, 1997 for the property owner to abate the nuisance at 233 W. 3rd. The nuisance was not abated and the Concordia Public Grounds Department abated the nuisance. The property owner was billed \$252.50 on August 6 and September 1, 1997 and the bill remains unpaid. Staff is recommending the City Commission consider passing a resolution to assess the amount of \$252.50 to the property taxes of the property owner. Commissioner Bombardier moved to pass Resolution No. 1206 assessing the amount of \$252.50 to the property owner. Commissioner Hattan seconded. Motion carried.

### RESOLUTION NO. 1207 (702 E. 5TH)

NUISANCE ABATEMENT

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

1. 702 E. 5th - Resolution No. 1207

City Manager Kloster advised the Commission of the property.

No one was present to represent the property owner.

Commissioner Hattan moved and seconded by Commissioner Bombardier to approve Resolution No. 1207 with no additional time. Motion carried.

### MAYOR COMMENTS

Mayor Hattan asked Bob Burns, Acting Fire Chief, why the ambulance was not go to the football games.

Mr. Burns advised the Commission that a problem arose at the fairground races, when people started threatening and taunting the EMTs. The problem was discussed in Department Head meeting and decided that the ambulance would not attend any of the events, but a list of EMTs would be given to all of the event directors, so that they could contact them directly. Mr. Burns stated that he had talked to the Fairboard and the High School Football Coach and they were okay with this arrangement. Mr. Burns advised that the EMTs that worked the event could take the department car, jump bag and radio and so far there has been coverage at all the football games.

Mr. Burns also advised that the EMT Class would start the 2nd week in January.

### PUBLIC COMMENTS

Armand Balthazor asked when the cellular phones were going to be discontinued. Commissioner Hattan advised that we were still studying it.

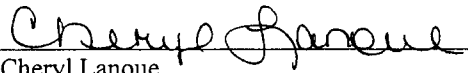
**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCT. 1, 1997 CONT.**

**CITY MANAGER'S COMMENTS**

City Manager Kloster advised the commission of the following items:

1. The first meeting of the consolidation of the City/County Public Safety would be tonight at 5:30 p.m. Staff has met with the Docking Institute staff and the Docking Institute staff would be developing a list of options. He said that this is the first step in a long process.
2. He would be meeting with the Library Board next week.
3. The City would have an outside agency do a rate study on the utilities that should be completed no later than December 31, 1997.
4. Staff has looked at the uniform policy and made some changes to save the city approximately \$700 a year.
5. The City has received a proposal from a local Church, to rent the community room for \$50 per Sunday for the next two years. This would be approximately \$2,500 a year in revenue.

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

  
Cheryl Lanoue  
City Clerk

(Seal)

# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 15, 1997**

The governing body met in regular session on October 15, 1997, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Robbins and Bombardier.

Absent: None.

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

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

Visitors: Lori Ade, Kirk Lowell, Burl Maley, Tom Fisher, Brad Lowell, Aaron Bombardier, Teresa Brundridge, Clint Fraser, Brandon Brundridge, Larry Remmenga, Marie Dale and Armand Balthazor.

## **APPROPRIATION ORDINANCE NO. 19**

**APPROVED**

Appropriation Ordinance No. 19 was approved according to law.

## **THIRD QUARTER INVESTMENT REPORT**

**ORDERED PLACED ON FILE**

City Manager Kloster presented the third quarter investment report for 1997 per Ordinance No. 1860. Total interest received for the third quarter of 1997 was \$19,398.93 compared to \$26,283.50 for 1996. Commissioner Bombardier moved to place on file the third quarter investment report. Commissioner Robbins seconded. Motion carried.

## **RESOLUTION NO. 1208 - KANSAS DEPARTMENT OF TRANSPORTATION REQUEST FOR CONSTRUCTION PROJECT - 11TH STREET PROJECT**

**PASSED**

City Manager Kloster advised the commission that the resolution would enter the City into the State Funding Program. City Manager Kloster advised that there is a block and half that is not currently in the project, but the state would include it in the project. Commissioner Robbins asked if the engineering cost would have to be prepaid. City Manager Kloster advised that the design of the project would have to be paid up front and the design submitted to KDOT for approval. City Manager Kloster advised that he would recommend that the City go with a fixed engineering cost for the project.

Thereupon there was presented a Resolution entitled:

### **A RESOLUTION WITH THE KANSAS DEPARTMENT OF TRANSPORTATION BUREAU OF LOCAL PROJECTS REQUEST FOR CONSTRUCTION PROJECT**

Thereupon, Commissioner Bombardier moved that said Resolution be adopted. The motion was seconded by Commissioner Robbins. 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: Commissioners Hattan, Bombardier and Robbins.

Nay: None.

Thereupon, the Resolution having been received by at least two-thirds (2/3rd) majority vote of the members of the governing body, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 1208 and was signed by the Mayor and attested by the Clerk.

## **RESOLUTION NO. 1209 - ICMA-RC**

**PASSED**

Thereupon there was presented a Resolution entitled:

### **A RESOLUTION FOR A LEGISLATIVE BODY RELATING TO A DEFERRED COMPENSATION PLAN**

Thereupon, Commissioner Bombardier moved that said Resolution be adopted. The motion was seconded by Commissioner Robbins. 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: Commissioners Hattan, Bombardier and Robbins.

Nay: None.

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCT. 15, 1997 CONT.**

Thereupon, the Resolution having been received by at least two-thirds (2/3rd) majority vote of the members of the governing body, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 1209 and was signed by the Mayor and attested by the Clerk.

### **CITY MANAGER COMMENTS**

City Manager Kloster advised that there was good attendance at the League conference and next year it will be at Wichita. City Manager Kloster also met with Cat Scratch Productions for an interview and that Kirk Lowell is working on getting the information regarding the lighting on US 81, so that an Energy Ownership Analysis can be done.

### **MAYOR COMMENTS**

Mayor Hattan asked about the Treatment Plant payments to CAS. City Manager Kloster advised that they have not been paid and the City has advised CAS that the City Manager wanted to get up to speed on the project and there would be some type of temporary financing to pay them.

Mayor Hattan asked if the position held by Karen Dunlap had been filled. City Manager Kloster advised that City Attorney Retter and himself were working on that and that the City Attorney is handling the zoning issues until the City fills the position of Community Development. City Manager Kloster informed the Commission that we have building regulations, but no one to enforce them and City Attorney Retter and himself are looking at that, with possibly getting some alternative funding to help pay for this position.

Mayor Hattan asked if the Fire Department, when doing nuisance abatements, could use the EMS/Fire Department administrative car instead of the EMS unit. This would leave one person at the station and one to do the nuisance abatements. City Manager Kloster advised that they could do that.

Mayor Hattan asked if the City had made application to the Duclos Foundation for handicap ramps at Hood Park. City Manager Kloster stated that the materials were on his desk for processing by the deadline.

Mayor Hattan asked where Allied was on the Highway 81 relocation of the Water/Sanitary Sewer lines. Larry Remmenga, Director of Utilities, advised that Allied was North of Kentucky Fried Chicken installing the water lines.

Mayor Hattan asked about the sanitary sewer project at 20th & Washington Street. City Attorney Retter advised that he has been in contact with the four property owners and at sometime there would be a 12 6a petition that would be filed for the Commission to approve.

Mayor Hattan asked if the City had plans for the Retro Development project. Kirk Lowell, Cloudcorp advised that Retro Development is in the process of having their engineering done by Campbell & Johnson.

### **COMMISSIONER COMMENTS**

Commissioner Robbins asked about the zoning problem on East 5th Street. City Attorney Retter advised that he would have an opinion by the end of the week.

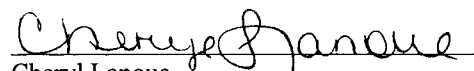
Commissioner Robbins asked about the Fire Marshal School. City Manager Kloster advised that the checks were voided. City Manager Kloster advised that the Job Description has Arson Investigator as a part of it and has had for a long time. Mr. Kloster continued to say that if there is a major fire the State Fire Marshal would determine the cause, but most fires are small ones and they need to be addressed locally. We need to have someone that can determine the cause of a fire. Commissioner Hattan asked if the individual would be carrying a gun. City Manager Kloster advised that that he would address that with a policy statement.

Commissioner Robbins asked about the Docking Institute Study for the Police and Sheriff's Department Consolidation. City Manager Kloster advised that the Docking Institute personnel had met with the City and County and that there would be a second meeting in late November or early December. Commissioner Robbins asked about the cost of the study. City Attorney Retter advised that this was just the first step and it cost \$5,000. The County would pay that entire cost.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCT. 15, 1997 CONT.**

Mayor Hattan announced that there would be a study session next October 22, 1997 at 6:30 p.m.

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

  
Cheryl Lanoue  
City Clerk

(Seal) \*



**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 5, 1997**

The governing body met in regular session on November 5, 1997, at 4:08 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Robbins and Bombardier.

Absent: None.

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

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

Visitors: Lori Ade, Kirk Lowell, Burl Maley, Brad Lowell, Larry Remmenga, Marie Dale, Melvin Kennedy, Alfred Metro, Bernice Schreiber, Marilyn Walton, Norman Walton, Gerna Johnson, Floyd W. Johnson, Floyd Buckley, Georgie Chancellor, Leon Deaver, Steven Anderson, Larry \_\_\_\_\_, Dorothy Lawyer, Wilma Monty, Ima Jean Chavey, Todd P. Nicholson, Greg Michels, Loleta Deaver, Sandy Oliver, Jim Menard, Chuck Nondorf, Jay Lowell, Debra Peters, Ted Kalthoff, Walt Huber, Joe Strecker, Cindy Myers, Brenda R. Losh, Trish Johnson, Daniel Myers, Vince Crough, Scott Henderson and Armand Balthazor.

Mayor Hattan arriving at 4:10 p.m.

APPROPRIATION ORDINANCE NO. 20

APPROVED

Appropriation Ordinance No. 20 was approved according to law.

PLANNING COMMISSION APPOINTMENTS

DANIELLE ISTAS AND LADONNA PELTIER

City Manager Kloster advised the commission that we had two appoints expire on the Planning Commission as of November 1, 1997. LaDonna Peltier is willing to serve another term and Danielle Istas is interested in serving a term. Danielle would be filling Karen Dunlap's appointment. Following discussion, Commissioner Robbins moved to appoint LaDonna Peltier and Danielle Istas to the Planning Commission for a three (3) year term starting 11-1-97 to 11-1-2000. Commissioner Bombardier seconded. Motion carried.

RECREATION COMMISSION RESIGNATION  
RECREATION COMMISSION APPOINTMENT

RON ELNIFF  
BECKY JONES

City Manager Kloster advised that the Recreation Commission received a letter of resignation from Ron Elniff resigning his position on the Recreation Commission and Becky Jones was willing to serve the unexpired term on the Recreation Commission. Commissioner Bombardier moved to except Ron Elniff's resignation and appoint Becky Jones to fill the unexpired position on the Recreation Commission from 11-5-97 to 1-31-98. Commissioner Robbins seconded. Motion carried.

REVOLVING LOAN PUBLIC HEARING(GREGORY MICHELS)

HELD AND APPROVED

Mayor Hattan opened the public hearing for the revolving loan applicant Gregory Michels d/b/a Accurate Engines. Kirk Lowell, Cloudcorp, advised the Commission that Cloudcorp Finance Committee recommended City of Concordia Revolving Loan in the amount not to exceed \$27,700 to Greg Michels, d/b/a Accurate Engines of Concordia on October 6, 1997. Approval of the Concordia Revolving Fund loan was given, pending positive resolution of zoning issues that could possibly jeopardize the current seven (7) year building lease that was submitted with the Accurate Engines' Loan application. Mr. Lowell noted that Concordia Revolving Loan fund applicant must own the property on which the business is located or obtain a real estate lease with a term that matches the term of the requested loan.

Mr. Lowell referred to a copy of the Concordia City Attorney's opinion addressed to Todd Nicholson and Bud Kennedy. The opinion states "the subject real estate can be used for an automobile repair shop". Mr. Lowell advised the commission that he conducted a telephone poll of the Cloudcorp Finance Committee on October 22, 1997. Mr. Lowell advised that it was his interpretation and the committee members interpretation that the said statement in the City Attorney's opinion substantiates the signed and previously submitted, seven (7) year real estate lease that Accurate Engines has with Todd Nicholson. Therefore, the committee is operating on the interpretive fact that Accurate Engines can operate an automobile repair shop at 515 Matthew Street, Concordia, Kansas. Mr. Lowell advised that the committee members currently believe that Cloudcorp should move forward with a positive Concordia Revolving Loan Fund recommendation for Accurate Engines to the City of Concordia.

Mr. Lowell advised that the project has a total cost, of \$73,737 and consists of Greg Michels purchasing additional equipment, buying Roger (Dave) Beems' one half interest of Accurate Engines, LLC and providing funds for additional operating capital. The project will retain one full-time job (Greg) and create 1.25 full-time equivalent jobs for a total of 2.25 jobs.

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOV. 5, 1997 CON'T.

Mr. Lowell advised that the loan will have a seven (7) year term, 6% fixed interest rate, with monthly principal and interest payments beginning one (1) month from the date of closing. Collateral is subject to a first lien position to be held by The Citizens National Bank. Collateral includes second collateral position in all business assets, except 3rd lien position in 1983 Chevy Blazer K-5 4x4, and a secondary interest in an assignment of life insurance in the amount of \$50,000.

Mr. Lowell advised that The Citizens National Bank has agreed to loan the remaining \$33,400 needed to complete the project pending Small Business Administration loan application approval. The bank loan would be for a term of seven (7) years at an annually adjustable interest rate of 11.25% (based on New York Prime plus 2.75%).

Mr. Lowell advised that the Cloudcorp Finance Committee recommends the following to the City of Concordia:

- Concordia City Commission schedule a public hearing for November 5, 1997 at 4:00 p.m.
- Concordia City Commissioners give positive approval of said application.
- Disbursement of Concordia Revolving Loan funds to Accurate Engines is to be pending approval of Accurate Engines' Citizens National Bank / SBA loan application.
- City Manager send a formal letter of intent concerning Accurate Engines pending CRLF loan to Debra Peters, Vice President, Citizens National Bank before November 7, 1997.

Bud Kennedy advised the commission that he would like to tell them about a building that is located at 515 Matthew. Mr. Kennedy advised that the metal building was constructed in 1971 and that Concordia zoning went into affect in 1972. The property was zoned R-1, Residential, the metal building was non-conforming. Mr. Kennedy advised in the past twenty-six (26) years the metal building has been used for a one (1) car taxi service and bait shop. Traffic, noise and congestion was never a problem. Mr. Kennedy advised that for the last five (5) years or so the building has been idle, except for storage. In July or August of this year, alot of activity started around and in the building. Mr. Kennedy advised that vehicles were parked on the empty lot, and many of them had "for sale" signs in them. Mr. Kennedy also advised that a sign went up on the building that read Accurate Engines, Machine Shop, Auto Repairs and Radiator Repair. Mr. Kennedy advised that in the Concordia Zoning book, machine shops and auto repair shops were zoned C-S and radiator repair was zoned I-P. Mr. Kennedy advised that when the sign went up, that was when he protested the use of the metal building. Mr. Kennedy advised that he reported to a City Commissioner, who reported it to the Acting City Manager/City Attorney. Mr. Kennedy advised that about a month later he received a letter from City Attorney, David Retter stating the following:

- That nonconforming uses can be less nonconforming use under Concordia Zoning Ordinance. Mr. Kennedy advised that less nonconforming than a bait shop would not be a machine shop, auto repair shop, radiator repair shop.
- Ms. Sedlacek's reasoning, referred to here, is that an automobile repair shop and bait shop are substantially similar uses, since they are permissible uses in C-S districts, one of which is close at hand. Mr. Kennedy advised that Ms. Sedlacek doesn't live in Concordia and he had no idea how she could determine that a machine shop, auto repair shop and radiator shop are similar to a bait shop.
- Further, the taxi service and pet store uses of the subject real estate have ceased. The subject real estate is now being for one, not three, nonconforming uses. Mr. Kennedy advised that Accurate Engines' sign reads, Machine Shop, Auto Repair and Radiator Repair.
- Other nonconforming uses have existed across the street in the past.

Mr. Kennedy advised that he had a petition with signatures of property owners, that are directly subjected to the congestion, parking problem and noise and want to protest the use of the building. Mr. Kennedy advised that the City Attorney recommends that Lot 10-11 Block 3, Drake's Addition be rezoned to C-S. Mr. Kennedy advised that he has a petition of property owners, within 400 ft. that are opposed to the rezoning.

Mayor Hattan asked Mr. Kennedy if he had the original petition. Mr. Kennedy advised that he didn't. Mayor Hattan stated that in order to act on a petition, the original must be filed with the City Clerk.

Mr. Kennedy stated that if this had been properly handled the property owners would have had a zoning board to hear their grievances and that recommendations and conclusions would have not come from the City Attorney who is a member of Cloudcorp.

Mayor Hattan moved to adjourn the public hearing for approximately ten (10) minutes. Commissioner Robbins seconded. Motion carried. Time: 4:50 p.m.

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOV. 5, 1997 CON'T

### PRESENTATION TO DR. DANIEL MYERS

Acting Fire Chief Robert Burns advised the commission that Dr. Daniel Myers is Concordia Medical Director and that working with Dr. Myers was wonderful. Acting Fire Chief Burns presented Dr. Daniel Myers with a plaque from the City Commission, City Manager, Fire Department and the community and thanked him for his support.

### REVOLVING LOAN PUBLIC HEARING(GREGORY MICHELS)

Mayor Hattan called the public hearing back into session. Time: 5:00 p.m.

Todd Nicholson advised that he wanted to address the issue that Mr. Kennedy said wasn't handled properly. Mr. Nicholson advised that he did approach the City and Ms. Sedlacek and she did discuss it with him and approved it. Mr. Nicholson stated that he didn't know that it was a zoning issue that was being discussed at this meeting. He thought that it was a public hearing for the revolving loan application.

Wilma Monty advised that she opposed this loan because of the disruptive business.

Steve Anderson asked if a zoning change can enable businesses to locate in this area without a public hearing. Mr. Anderson stated that he doesn't want the zoning changed. Mr. Anderson stated that he wanted the City to look at the loan in a positive light.

City Attorney Retter advised that what Accurate Engines is approved for is an automobile repair shop. City Attorney Retter advised that if someone were to make application to rezone the following steps would be taken:

- Fact finding by city staff
- The Planning Commission would consider the request and make recommendation to the City Commission.
- There would be a fourteen (14) day protest period.
- Public Hearing would be held before the City Commission.
- The City Commission can either approve, deny and/or return it to the Planning Commission for reconsideration.

City Manager Kloster advised that everyone within 300 ft. would be notified.

Commissioner Hattan advised that there hasn't been application to change the zoning at that location.

Kirk Lowell advised that Cloudcorp didn't request a public hearing for zoning change. Cloudcorp requested a public hearing on a revolving loan fund application.

Greg Michels advised that he went to the city to get a sign permit. Mr. Michels stated that he wanted to put it on the vacant lot and Ms. Sedlacek advised that he could not put the sign there, but he could put the sign on the building. Mr. Michels advised that the radiator shop equipment is all EPA approved. Mr. Michels stated that no one has come to him about the noise, traffic or any other problem.

City Attorney Retter advised that the automobile repair shop is what the property use is approved for. Mr. Retter advised that if there are other more intense uses put to the building, then that would be inappropriate.

Scott Henderson, owner of the property at 723 & 727 E. 6th Street, asked if the loan was pending a zoning change. Commissioner Hattan answered no. Mr. Henderson advised that he wasn't opposed to the use of the building.

Commissioner Hattan moved to approve the revolving loan application pending a review by staff and a determination that they do not violate accountable use. This is to be completed within ten (10) days. Commissioner Bombardier seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOV. 5, 1997 CON'T

RESOLUTION NO. 1210(CLOUD COUNTY COOPERATIVE ELEVATOR)

PASSED

Thereupon there was presented a Resolution:

Thereupon, Commissioner Bombardier moved that said Resolution be adopted. The motion was seconded by Commissioner Robbins. 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: Commissioners Hattan, Bombardier and Robbins.

\* Nay: None.

Thereupon, the Resolution having been received by at least two-thirds (2/3rd) majority vote of the members of the governing body, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 1210 and was signed by the Mayor and attested by the Clerk.

EMPLOYEE SERVICE AWARDS

ROBERT ALDRIDGE, JUDITH MCKEE,  
SANDY OLIVER AND STEVE HORKMAN

Larry Remmgena presented one (1) city employee, Robert Aldridge, an award for ten (10) years of service. Judith McKee and Sandy Oliver received awards for ten (10) years of service and Steve Horkman for twenty-five (25) years of service awards, they were not present.

KP&L - WESTERN RESOURCES

Bruce Harris, with KP&L and Western Resources advised the commission that the assets of Western Resources and ONEOK will be transferred to WAY, Inc. at closing and that WAY, Inc. intends to change its name to ONEOK, Inc.

PUBLIC COMMENTS

Armand Balthazor commented to the commission that he thought that it was agreed to a long time ago that he would get the ordinance, if he comes to the meetings. Mr. Balthazor didn't receive the ordinance this time and wanted to know why. City Manager Kloster advised that as he recalled from last meeting Mr. Balthazor commented about the City making a lot of copies. City Manager Kloster advised that the City needs to establish some subscription rates. City Manager Kloster advised that we would have a rate for those people that want to be mailed or faxed an agenda. If they want the resolutions or ordinances then there is a rate for them and if you come to the meeting, then the agenda would be available. City Manager Kloster advised that if we don't have a system like that, then very one of the six thousand people in Concordia could have those same things and then it becomes a budget constraint.

At this time cake was served to the service awardees and those in attendance.

EXECUTIVE SESSION - ATTORNEY CLIENT PRIVILEGES

At this time Commissioner Hattan moved that the commission recess into executive session for twenty (20) minutes to discuss attorney client privileges. Commissioner Robbins seconded. Motion carried. Time: 6:10 p.m.

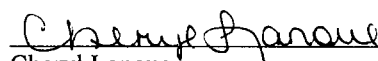
The commission reconvened at 6:30 p.m.

Commissioner Hattan moved to recess for an additional thirty (30) minutes to continue the discussion of non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 6:30 p.m.

The Commission reconvened at 7:00 p.m.

Mayor Hattan announced that the commission had been discussing attorney client privileges and no binding action had been taken.

There being no further business, Commissioner Hattan moved to adjourn the meeting to November 12, 1997, at 6:30 p.m., in the City Commission room in the City Hall. Commissioner Robbins seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD NOV. 12, 1997**

The governing body met in adjourned session on November 12, 1997, at 6:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Bombardier and Robbins.

Absent: None.

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

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

Visitors: Burl Maley, Larry Remmenga, Chuck Boulley and Armand Balthazor.

LICENSE AGREEMENT(LARRY NAILLIEUX)

APPROVED

City Attorney Retter advised the Commission that this license agreement with Larry Naillieux was for a private sanitary sewer line to be attached to the City sewer main. Mr. Retter advised that this is a ten (10) year license which is not transferable. Following discussion Commissioner Robbins moved to authorize the Mayor and City Clerk to sign the License Agreement with Larry Naillieux. Commissioner Bombardier seconded. Motion carried.

EXECUTIVE SESSION - LAND ACQUISITION

At this time Commissioner Hattan moved that the commission recess into executive session for forty-five (45) minutes to discuss land acquisition. Commissioner Robbins seconded. Motion carried. Time: 6:45 p.m.

The commission reconvened at 7:30 p.m.

Commissioner Hattan moved to recess for an additional fifteen (15) minutes to continue the discussion of land acquisition. Commissioner Robbins seconded. Motion carried. Time: 7:30 p.m.

The Commission reconvened at 7:45 p.m.

Commissioner Hattan moved to recess for an additional fifteen (15) minutes to continue the discussion of land acquisition. Commissioner Robbins seconded. Motion carried. Time: 7:45 p.m.

The Commission reconvened at 8:00 p.m.

Mayor Hattan announced that the commission had been discussing land acquisition and no binding action had been taken.

EXECUTIVE SESSION - NON-ELECTED PERSONNEL

At this time Commissioner Hattan moved that the commission recess into executive session for thirty (30) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 8:00 p.m.

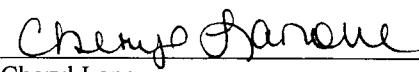
The commission reconvened at 8:30 p.m.

Commissioner Hattan moved to recess for an additional thirty (30) minutes to continue the discussion of non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 8:30 p.m.

The Commission reconvened at 9:00 p.m.

Mayor Hattan announced that the commission had been discussing non-elected personnel and no binding action had been taken.

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

  
Cheryl Lanoue  
City Clerk

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 19, 1997**

The governing body met in regular session on November 19, 1997, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Robbins and Bombardier.

Absent: None.

Other Officers: City Manager Kloster and City Clerk Lanoue.

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

Visitors: Lori Ade, Burl Maley, Brad Lowell, Judith McKee, Bruce Harris, Robert Burns, Roberja Lowery, Dallas Nading, Art Slaughter, Joe Jindra, Ken Parker, Kirk Lowell and Armand Balthazor.

### APPROPRIATION ORDINANCE NO. 21

APPROVED

Appropriation Ordinance No. 21 was approved according to law.

### RESOLUTION NO. 1211 (TRANSFER OF FRANCHISE FEE TO ONEOK, INC.)

PASSED

Thereupon there was presented a Resolution:

Thereupon, Commissioner Bombardier moved that said Resolution be adopted. The motion was seconded by Commissioner Robbins. 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: Commissioners Bombardier and Robbins.

Nay: None.

Thereupon, the Resolution having been received by at least two-thirds (2/3rd) majority vote of the members of the governing body, the Acting Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 1211 and was signed by the Mayor and attested by the Clerk.

### PUBLIC COMMENTS

Armand Balthazor stated that the City had not received the 1996 audit, from Kennedy and Coe. City Manager Kloster stated that there was no excuse for that and that the audit should be received by July 1st. Commissioner Robbins asked if there was a problem with the same auditor doing the City and County audits. City Manager Kloster stated that there was not a problem, but the auditing firm would have to meet the requirements that the City wants.

### CITY MANAGER COMMENTS

City Manager Kloster advised that David was out of town until this weekend and that our thoughts and prayers should be with him. Mr. Kloster stated that the VFW hosted a real nice dinner for the Police and Fire Departments earlier in the week.

At this time Commissioner Robbins moved to recess for 10 minutes. Commissioner Bombardier seconded. Motion carried. Time: 4:25 p.m.

Mayor Hattan arriving at 4:30 p.m.

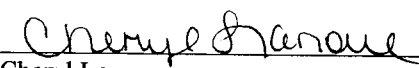
### EXECUTIVE SESSION - NON-ELECTED PERSONNEL

At this time Commissioner Hattan moved that the commission recess into executive session for thirty (30) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 4:35 p.m.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOV. 19, 1997 CONT.**

Mayor Hattan announced that the commission had been discussing non-elected personnel and no binding action had been taken.

There being no further business, Commissioner Hattan moved to adjourn the meeting to November 25, 1997, at 9.00 p.m., in the City Commission Room in the City Hall. Commissioner Bombardier seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD NOV. 25, 1997**

The governing body met in adjourned session on November 25, 1997, at 9:10 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Bombardier and Robbins.

Absent: None.

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

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

Visitors: Kirk Lowell, Art Slaughter, Joe Jindra and Kent Buer.

**EXECUTIVE SESSION - NON-ELECTED PERSONNEL**

At this time Commissioner Hattan moved that the commission recess into executive session for thirty-five (35) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 9:10 p.m.

The commission reconvened at 9:45 p.m.

Commissioner Hattan moved to recess for an additional forty-five (45) minutes to continue the discussion of non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 9:45 p.m.

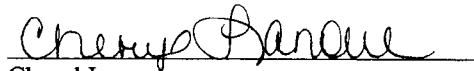
The Commission reconvened at 10:30 p.m.

Commissioner Hattan moved to recess for an additional ten (10) minutes to continue the discussion of non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 10:30 p.m.

The Commission reconvened at 10:40 p.m.

Mayor Hattan announced that the commission had been discussing non-elected personnel and no binding action had been taken.

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

  
Cheryl Lanoue  
City Clerk

(Seal)



## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 3, 1997

The governing body met in regular session on December 3, 1997, at 4:05 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Robbins and Bombardier.

Absent: None.

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

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

Visitors: Joe Jindra, Burl Maley, Brad Lowell, Judith McKee, Dallas Nading, Joe Strecker, Kirk Lowell and Armand Balthazor.

### APPROPRIATION ORDINANCE NO. 22

APPROVED

Appropriation Ordinance No. 22 was approved according to law.

### ORDINANCE NO. 2676(SCOTT SPECIALTIES-TAX EXEMPTION)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE CONTINUING THE EXEMPTION OF CERTAIN PROPERTY FROM AD VALOREM TAXATION FOR ECONOMIC DEVELOPMENT PURPOSES.

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

Aye: Commissioners Bombardier and Robbins.

Nay: None.

Thereupon, the Ordinance having been received by at least two-thirds (2/3rd) majority vote of the members of the governing body, the Acting Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2676 and was signed by the Mayor and attested by the Clerk.

Mayor Hattan arriving at 4:08 p.m.

### PUBLIC COMMENTS

Armand Balthazor stated that the City paid Mr. Kloster over \$500.00 last month and it went down to \$180.00 this month. Mayor Hattan advised that Mr. Kloster's contract specifics what the City pays and if Mr. Balthazor had any additional questions he should make an appointment with Mr. Kloster.

Mr. Balthazor stated that he could not receive the appropriation ordinance until after the meeting. City Attorney Retter advised that the appropriation ordinance went to the commission first to review and make corrections. Mr. Retter stated that it is not an appropriation ordinance until the commission takes action.

### EXECUTIVE SESSION - NON-ELECTED PERSONNEL

At this time Commissioner Hattan moved that the commission recess into executive session for fifteen (15) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 4:15 p.m.

The commission reconvened at 4:30 p.m.

Commissioner Hattan moved to recess for an additional fifteen (15) minutes to continue the discussion of non-elected personnel. Commissioner Bombardier seconded. Motion carried. Time: 4:30 p.m.

The Commission reconvened at 4:45 p.m.

Mayor Hattan announced that the commission had been discussing non-elected personnel and no

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DEC. 3, 1997 CONT.

FIRST ADDENDUM TO CITY MANAGER'S CONTRACT(PHILIP KLOSTER)

APPROVED

Commissioner Bombardier moved to approved the first addendum to the City Manager's Contract. Commissioner Robbins seconded. Motion carried.

CITY MANAGER COMMENTS

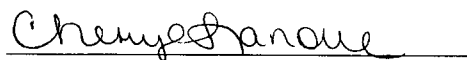
City Manager Kloster stated that he had received a letter from Robert Rowlands regarding lowering the flag half way on December 7th, 1997, for the 57th Anniversary of Pearl Harbor. Mr. Rowlands identified Max Widen as a survivor of the Japanese attack on Pearl Harbor. Mayor Hattan requested that Commissioner Bombardier check with the American Legion and the VFW, and stated that he had no problem with lowering the City's flag to half-staff.

City Manager Kloster advised that he had also received a letter from Luke Collins, a 5th grader working on a Boy Scout citizenship project. Mr. Collins encouraged the city to repair the skateboard track at Hood Park.

City Manager Kloster stated that at the next meeting he would have the League's Legislative Policy Statement for the Commission to consider adopting.

Mayor Hattan announced that there would not be a study session on December 10, 1997.

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

  
Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 17, 1997**

The governing body met in regular session on December 17, 1997, at 4:05 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Robbins and Bombardier.

Absent: None.

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

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

Visitors: Brad Lowell, Judith McKee, Robert Burns, Roberta Lowrey, Dallas Nading, Mickey Powell, Vince Crough, Jared Melton, Rob Mahan, Larry Remmenga, Charlene Marlow, Joe Strecker, Kirk Lowell, Greg Michels, Marie Dale, Todd Nicholson and Armand Balthazor.

APPROPRIATION ORDINANCE NO. 23

APPROVED

Appropriation Ordinance No. 23 was approved according to law.

CAS - UPDATE ON WASTEWATER TREATMENT PLANT

Charlie Stryker, President CAS, advised the Commission that the wastewater project is close to completion. Mr. Stryker advised that a walk through would be scheduled for sometime the second week of January 1998. Mr. Stryker stated that this was a successful project.

DESIGNATION OF OFFICIAL DEPOSITORIES

APPROVED

City Manager Kloster advised the commission that state law requires that banking institutions holding public funds need to be designated by the elected officials. Commissioner Hattan moved to designate The Citizens National Bank, UMB Bank and Tri County Bank as official depositories for 1998. Commissioner Bombardier seconded. Motion carried.

RESOLUTION NO. 1212(ADOPTING 1997/98 STATEMENT OF MUNICIPAL POLICY) PASSED

Thereupon there was presented a Resolution:

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

Aye: Commissioners Hattan, Bombardier and Robbins.

Nay: None.

Thereupon, the Resolution having been received by at least two-thirds (2/3rd) majority vote of the members of the governing body, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 1212 and was signed by the Mayor and attested by the Clerk.

CAFETERIA PLAN

AUTHORIZED

City Manager Kloster advised the commission that the City elected to self administer the Cafeteria Plan for 1998, under the supervision of AFLAC. Mr. Kloster stated that there would be no cost for the plan in 1998. Commissioner Bombardier moved to authorize the City Manager to execute the Adoption Agreement and any related documents or amendments which may be necessary or appropriate to adopt the plan or maintain its compliance with applicable federal, state and local law. Commissioner Robbins seconded. Motion carried.

LICENSE AGREEMENT(GEOCORE SERVICES, INC)

APPROVED

City Attorney Retter advised the Commission that this was a license agreement with GeoCore Services, Inc. Mr. Retter advised the this would be used for installation of monitoring well(s) and/or soil boring(s) for the purpose of investigating, evaluating, remediating and monitoring groundwater and/or soil contamination. Commissioner Bombardier moved to authorize the Mayor and City Clerk to sign the License Agreement with GeoCore Services, Inc. Commissioner Robbins seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DEC. 17, 1997 CONT.

AUDIT BID( KNUDSEN MONROE & COMPANY, LLC)

ACCEPTED

City Manager Kloster advised the commission that the City accepted bids on the 1997, 1998 and 1999 audit for the City of Concordia, Concordia Recreation Commission, Frank Carlson Library and the Firemen's Relief Association. The bids were as follows for the first year:

Berberich Trahan & Company, P.A.	\$23,840.00
Knudsen, Monroe & Company, LLC	\$16,500.00
Mapes & Miller, CPA's	\$16,950.00

Mr. Kloster advised that staff is recommending Knudsen, Monroe & Company, LLC to prepare the 1997, 1998 and 1999 audit for the City. Following discussion, Commissioner Bombardier moved to accept hiring Knudsen, Monroe & Company, LLC to prepare the 1997, 1998 and 1999 audit for the City of Concordia. Commissioner Robbins seconded. Motion carried.

ORDINANCE NO. 2677(APPROPRIATING 1998 & RATIFYING 1997)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE APPROPRIATING THE AMOUNT ESTABLISHED IN EACH FUND IN THE BUDGET FOR THE YEAR 1998, PROVIDING FOR THE PAYMENT OF ALL CLAIMS AND CHARGES AGAINST THE ACCOUNTS PROVIDED FOR THEREIN; AND APPROVING AND RATIFYING THE PAYMENT OF ALL CLAIMS AGAINST THE ACCOUNTS FOR THE YEAR 1997.

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

Aye: Commissioners Hattan, Bombardier and Robbins.

Nay: None.

Thereupon, the Ordinance having been received by at least two-thirds (2/3rd) majority vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2677 and was signed by the Mayor and attested by the Clerk.

PUBLIC COMMENTS

Armand Balthazor stated that the commission had a contract with Mr. Kloster for approximately \$52 thousand and eight (8) weeks later, they increased Mr. Kloster's compensation \$8,000 and included housing and moving expenses. Mayor Hattan stated that at the time the commission signed the first contract, we didn't know the length of tenure and after Mr. Kloster was here awhile the commission renegotiated. Mayor Hattan also advised that in his tenure as a commissioner it has been standard policy to pay the moving expenses of the City Manager.

Mr. Balthazor asked why it was okay for the press to receive the appropriation ordinance before it is approved and not for him. Mayor Hattan stated that the press publicizes the information to the public.

MAYOR'S COMMENTS

Mayor Hattan asked Kirk Lowell, Cloud Corp, about the liquor by the drink. Mr. Lowell advised that he had heard the county wanted someone to file a petition before they put it on the ballot. City Manager Kloster advised that a resolution, adopted by the City Commission, asking that the county put liquor by the drink on the ballot for the general election, would be one way to handle this.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DEC. 17, 1997 CONT.**

**CITY MANAGER COMMENTS**

City Manager Kloster advised the Commission that the City will be saving approximately \$14,000 on the City's general liability, property, and casualty insurance.

Mr. Kloster read three (3) letters that he had received from the following:

Dustin Thomas -	Consolidation issues
Brandon Brundride -	Skate Park
Blake Brewer -	Stop lights at the Walmart entrance

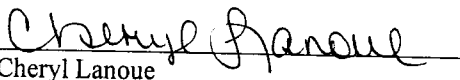
Mr. Kloster advised the commission that the Law Enforcement Consolidation meeting would be January 5, 1997 at 7:00 p.m. at City Hall.

**PUBLIC COMMENT**

Joe Strecker stated that Mr. Kloster saved the city \$14,000 on insurance and \$8,000 on the audit. The difference in salary was \$8,000. Mr. Strecker said "Pretty Good Investment if you ask me."

Mayor Hattan announced that there would not be a study session on December 24, 1997 and that the next regular meeting would be January 7, 1998.

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

  
Cheryl Lanoue  
City Clerk

(Seal)