

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 7, 1998

The governing body met in regular session on January 7, 1998, 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: Brad Lowell, Judith McKee, Robert Burns, Joe Jindra, Vince Crough, Kirk Lowell, Marie Dale, Burl Maley, Seth Retter, Susan Retter, Joe Fakler and Ruth Fakler.

MINUTES AMENDED DECEMBER 17, 1997 MEETING

APPROVED

Mayor Hattan read an amendment to the December 17, 1997 minutes to include the following: That there were other people that worked on the insurance savings, like Dane Devlin and Ross Olson.

RECREATION COMMISSION APPOINTMENT

BECKY JONES

City Manager Kloster advised that we have one appointment expire on the Recreation Commission. Becky Jones is willing to serve another term. Commissioner Bombardier moved to appoint Becky Jones for a four (4) year term, beginning 1-31-98 to 1-31-2002. Commissioner Robbins seconded. Motion carried.

RESOLUTION NO. 98-1213(LIQUOR BY THE DRINK)

PASSED

Thereupon there was presented a Resolution: Liquor by the Drink

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. 98-1213 and was signed by the Mayor and attested by the Clerk.

BOY SCOUT PROJECT (SETH RETTER)

ACCEPTED

Ross Olson, District Committee Member, advised that Seth Retter had completed his Eagle Scout Service Project, which was two (2) park benches. Joe Fakler, Chair of Troop #31, was also present.

Seth Retter, Troop #31, stated that he had constructed two (2) park benches and would like to present them to the City Commissioners.

Mayor Hattan stated that he appreciated the community effort.

CITY MANAGER COMMENTS

City Manager Kloster advised the Commission of the following:

- CAS has scheduled the final walk through of the Wastewater Treatment Plant for January 14, 1998 at 10:30 a.m.
- Mr. Kloster, Kirk Lowell, David Retter and Jim Coash have a meeting schedule in Great Bend with Utilcorp regarding US 81 lighting.
- City Manager Kloster had visited with Janice Hardenburger regarding some City issues.
- The Base Equipment for the communication system has been ordered and a representative of Southwestern Bell will be here January 8, 1998, to review installation location.
Mr. Kloster stated the he had attended the Recreation Commission meeting and that they have set their regular meeting times for the first Monday of each month, at the library, in the new elementary building. Mr. Kloster advised that City Attorney is preparing a petition for the Recreation Commission to present to the city and school district, to possibly pursue a Recreation Commission by statute.
- City Manager Kloster advised that he should have a draft copy of the rate study within the next couple of weeks.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JAN. 7, 1998 CONT.

MAYOR COMMENTS

Mayor Hattan asked if the Boy Scouts' letters were answered. City Manager Kloster advised that staff is preparing the letters for the Mayor to sign.

Mayor Hattan asked if a Resolution of support of the Armory Project could be drafted.

Mayor Hattan had a question regarding the consolidation of law enforcement, specifically where the prisoner care money was on the consolidation report. Mayor Hattan stated that the City would be paying 75% and County 25% and for the first six (6) months the county would have control over the budget and the administrative people.

City Attorney Retter stated that the consolidation report doesn't define what the level of service is.

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 Robbins seconded. Motion carried. Time: 4:45 p.m.

The commission reconvened at 4:55 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: 4:55 p.m.

The commission reconvened at 5:05 p.m.

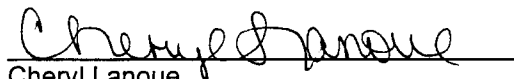
Commissioner Hattan moved to recess for an additional ten (10) minutes to continue the discussion of non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 5:05 p.m.

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.

Mayor Hattan announced that the next regular City Commission meeting would be January 20, 1998, at 4:00 p.m., in the City Commission Room, in City Hall and there would be no meeting on January 21, 1998.

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 JANUARY 20, 1998

The governing body met in regular session on January 20, 1998, 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: Brad Lowell, Kirk Lowell, Robert Burns, Joe Jindra, Burl Maley, Nancy Champlin, Don Schreiner, Eric Johnson, Ken Campbell, Cary Stupka, Lee Lowell, Doug Musick, Art Slaughter, Kenneth Johnson, Larry Remmenga, Bruce and Irene Brown, Dane Devlin, Scott Condray, Roberta Lowrey, Phil Gilliland, Armand Balthazor and Kent Buer.

Minutes of the January 7, 1998 meeting was approved as written.

APPROPRIATION ORDINANCE NO. 24

APPROVED

Appropriation Ordinance No. 24 was approved according to law.

THIRD QUARTER AMENDMENT AND FOURTH QUARTER INVESTMENT REPORT

ORDERED PLACED ON FILE

City Clerk Lanoue presented the third quarter amendment to reflect interest of \$24,315.90 and the fourth quarter investment report for 1997 per Ordinance No. 1860. Total interest for the fourth quarter of 1997 was \$82,827.45 compared to \$57,127.33 for 1996. The City received \$131,723.11 in interest for 1997. Commissioner Robbins moved to place on file the third quarter amendment and the fourth quarter investment report. Commissioner Bombardier seconded. Motion carried.

REVIEW HIGHWAY 81 CHANGE ORDER

APPROVED

City Manager Kloster advised the commission that the interconnect lines at 7th, 8th, 9th and 13th Streets were not included in the relocation of the water and sewer lines on Highway 81. Mr. Kloster stated that it would cost approximately \$50,000 to replace the interconnect lines and increase the size of the lines. Mr. Kloster stated that at 13th Street an 8" line would cost \$17,016. Following discussion, Commissioner Hattan moved to approve the Highway 81 change order of \$17,016 to replace the 13th Street interconnect line. Commissioner Bombardier seconded. Motion carried.

UPDATE ON POLICE DEPARTMENT RELOCATION

City Manager Kloster presented a report on his proposed relocation of the police department and dispatch service. Mr. Kloster stated the various options including the following:

- Remodeling the community room and city commission chambers at city hall.
- Building an addition on the east side of city hall.
- Remodeling the existing parks department facility.
- Looking at other available sites.

Mr. Kloster stated that a budget for the project was never set, dollar amounts ranged from \$130,000 to \$160,000.

Mr. Kloster stated that he has continued to look at the city hall remodeling project and has moved ahead with installing temporary facilities in the community room. A wall has been placed in the community room that divides the entry way from the main area. The base improvements to the communication system have been ordered and delivery of that equipment should be early March. Mr. Kloster stated that the negative aspect of the city hall remodel project in addition to poor space, is the dollars spent probably will equal what new construction cost would be.

Mr. Kloster stated that adding on to city hall would have much better utilization and growth potential and construction cost for this site should be very competitive with the remodeling costs. The addition would further allow for consolidation of key operations on the city hall site. The negative part of the east side expansion is that we would have to ask the library to give us back an area not to exceed five feet.

Mr. Kloster stated that the park department building was examined and it seems that the city would need to invest up to \$10,000 to mud jack the front of the building to stop approximately twenty (20) percent of the wall from falling away. Mr. Kloster stated that the brick face also needs to be tuck pointed to keep the brick from falling off. Mr. Kloster advised that another problem with the park department building is that the building has no basement.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JAN.20, 1998 CONT.

Mr. Kloster advised the commission that he has approached the county commission about the possibility of allowing a feasibility study on a joint law enforcement facility to house the police and sheriff departments. Mr. Kloster stated that the county commissioners are not happy about how the move was initiated in the first place. They agreed to be open-minded.

In summary Mr. Kloster stated the following:

- We are not in a position to make the final decision at this time.
- We need to rule out the park department building.
- We are approaching the move for the wrong reason. We should be making this move because of working conditions.
- We have an opportunity to have the Highway Patrol locate in this building.
- There has been a definite lack of staff input on this project.

Following discussion, Commissioner Hattan moved to advise the city manager to setup a joint meeting with the county commissioners so that we can explore their interest in the possibility of a joint facility, to decide if we are both on the same page or not. Commissioner Robbins seconded. Motion carried.

PAWNEE DEVELOPMENT AGREEMENT

APPROVED

Kirk Lowell, CloudCorp, advised the commission that the following had to happen:

- Pawnee pay all costs for the construction of 21st street. Blossers will donate the needed right-of-way for 21st Street to the City of Concordia and, at the same time, also donate right-of-way to the City of Concordia for the future extension of Washington Street to 21st Street. CloudCorp informed Pawnee that the City is willing to negotiate a special assessment for the 21st Street construction costs with Pawnee. CloudCorp also informed Pawnee that possible terms of special assessment are 4% to 6% interest, fifteen (15) year term with annual payments.
- Pawnee pay for all costs, legal, survey, platting, etc., associated with transferring the Blosser property to Pawnee.
- Pawnee consider transferring the costs of the proposed private sewer lift station on the proposed building site into the cost of a gravity flow sewer main. Blossers ask this because Blossers are currently working with the City of Concordia on a possible sewer main extension to located on the East side of the Pawnee proposed site along Washington Street. If the Washington Street sewer main does not come to be, the proposed private lift station on the Pawnee building site is acceptable to the Blosser family.
- Start construction of the new Pawnee Concordia facility before June, 1998.
- The Blosser family received notice of Pawnee's intent to accept the proposed building site and will sign a land transfer contract with the Blosser family before September 1, 1998. If a contract is not signed before September 1, 1998, the Blosser land offer to Pawnee Mental Health Service will be withdrawn.

Mr. Lowell advised that the following are estimates of the proposed street and sewer project cost:

Proposed Street Cost

	<u>Pawnee Cost</u>	<u>City Cost</u>
21st Street from State Street to Washington Street	\$65,148	\$0
21st Street and Washington Street Intersection	\$0	\$14,061

Proposed Sewer Cost

	<u>Project Cost</u>	
Gravity flow sewer main to service four (4) residences and Pawnee		\$36,476
Gravity flow sewer main to service four (4) residences ONLY		\$25,014
Net cost to extend new residence sewer to Pawnee		\$11,462
	<u>Pawnee Cost</u>	<u>City Cost</u>
Extend gravity flow sewer from new residence sewer to Pawnee	\$11,462	\$0
Pawnee extend a private forced main sewer to State St. sewer	\$22,000	\$0

Mr. Lowell stated that the water tap would be whatever a conventional water tap is and Pawnee Mental Health would bear the cost. Following discussion, Commissioner Bombardier moved to authorize the Mayor and City Clerk to sign the Development Agreement with Pawnee Mental Health Services. Commissioner Hattan seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JAN. 20., 1998 CONT.

PUBLIC COMMENTS

Armand Balthazor stated the we are going to throw away two (2) years of planning.

Scott Condray stated that we have a nice City Hall and didn't want the remodeling and hope that the commission will relook at this issue and consider other alternatives.

Irene Brown stated that she wanted to reinforce what Mr. Condray stated and she hopes that the years of looking at this, that we have gained a lot of knowledge.

EXECUTIVE SESSION NON-ELECTED PERSONNEL

At this time Commissioner Hattan moved that the commission recess into executive session for twenty (20) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 5:40 p.m.

The commission reconvened at 6:00 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: 6:00 p.m.

The commission reconvened at 6:10 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: 6:10 p.m.

The commission reconvened at 6:25 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: 6:25 p.m.

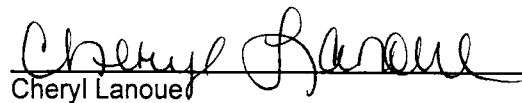
The commission reconvened at 6:28 p.m.

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

CITY MANAGER COMMENTS

City Manager Kloster gave the city commission copies of the 1996 City audit and the 1996 Housing Authority audit. Mr. Kloster advised the commission that David Retter, Kirk Lowell and himself meet with WestPlains regarding the lights on Highway 81 and that the second week in February the utility rate study would be on the study session.

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 FEBRUARY 4, 1998

The governing body met in regular session on February 4, 1998, 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: Brad Lowell, Kirk Lowell, Robert Burns, Joe Jindra, Burl Maley, Eric Johnson, Ken Campbell, Larry Remmenga, Bruce and Irene Brown, Jake Worthington, Heather Ouellette, Leanda Horned Eagle, Tom Fisher, Angela Stolzenburg, Theresa Bonebrake, Robert L. Steimel, Lee and Peggy Doyen, Joe Strecker, Nancy DeArmond, Jean Swiercinsky, Armand Balthazor, Brenda Losh, Denise deRocheFort-Reynolds and Kent Buer.

Minutes of the January 20, 1998 meeting were approved as written.

BOARD OF ZONING APPEALS APPOINTMENT

LEE LOWELL

Staff has contacted Lee Lowell and she is willing to continue serving on the Board of Zoning Appeals. Commissioner Bombardier moved to appoint Lee Lowell until 1-19-2001. Commissioner Robbins seconded. Motion carried.

ACCEPTANCE OF 1996 AUDIT

ACCEPTED

Mr. Robert Steimel, with Kennedy and Coe, went over the audit with the commission. Mayor Hattan asked that the City Commission have oversight responsibility over all activities of the City of Concordia and primary accountability for all fiscal matters. Mayor Hattan asked "in Mr. Steimel's professional opinion, during the years that Kennedy and Coe have done the audit, has the City Commission conducted its fiscal matters in a responsible manner?" Mr. Steimel said "Yes". Commissioner Bombardier moved to accept the 1996 audit. Commissioner Robbins seconded. Motion carried.

ORDINANCE NO. 98-2678(DESIGNATING 11TH STREET MAIN TRAFFICWAY)

PASSED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE DESIGNATING 11TH STREET WITHIN THE CITY OF CONCORDIA, KANSAS, AS A MAIN TRAFFICWAY.

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 City Commission, the vote being as follows:

Yes: Commissioners Hattan, Bombardier and Robbins.

No: None.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 98-2678 and was signed and approved by the Mayor and attested by the Clerk.

RESOLUTION NO. 98-1214(11TH STREET AUTHORIZATION)

PASSED

Thereupon, there was presented a Resolution entitled:

A RESOLUTION OF THE CITY OF CONCORDIA, KANSAS AUTHORIZING THE IMPROVEMENT OR REIMPROVEMENT OF A MAIN TRAFFICWAY WITHIN THE CITY OF CONCORDIA, KANSAS; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.

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

No: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 98-1214 and was signed by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 4, 1998 CONT.

MAYOR COMMENTS

Mayor Hattan stated that the Commission needed to address some issues that City Manager Kloster addressed in the February 2, 1998 article in the Blade-Empire, regarding the Police Department Relocation.

1. Mayor Hattan stated that Mr. Kloster was incorrect when he stated that no firm plans or budget had been prepared, when in fact there were plans A, B, C, D, E, a number of alternatives prepared from plan C and the last plan was never completed, because the manager advised the architect not to complete the drawings.
2. Mayor Hattan said that City Manager Kloster stated that Southwestern Bell was less than enthusiastic about relocating the 911 console in the remodel location, but failed to mention that Southwestern Bell was less than enthusiastic about moving the 911 console to the east side addition.
3. Mayor Hattan stated that City Manager Kloster advised that the addition would provide better space utilization, preserve growth potential to the south and west and probably not cost any more than remodeling. Mayor Hattan stated that the interior remodel would offer better access to parking, city offices, municipal court, meeting and break room, and the basement.
4. Mayor Hattan stated that the City Commission had an excellent relationship with the Library Board. Mayor Hattan stated that Scrivner donated the land to the library, not to the city and the Library Board received a threatening letter, which threatened the funding, if they didn't cooperate with the city.
5. Mayor Hattan stated that City Manager Kloster said "we are still approaching this move for what I call the wrong reasons, just to get away from the county at all costs." Mayor Hattan stated that the reason the commission wanted to move the Police Department over to City Hall was to improve EMS services and provide some cross training.
6. Mayor Hattan addressed the comment on the lack of staff input, estimates and funding and construction schedule. He stated that on one revision he asked for staff input and he received their input. Mayor Hattan then read his letter dated 2-10-97. "I just finished your scathing review of Plan C. Your biting criticism and thinly veiled contempt made for a most enjoyable read-my compliments. The weight of your critique would stop a reasonable man in his tracks. Nevertheless, like a blind pig searching for an acorn, I have prepared two revisions for your scrutiny." Mayor Hattan advised that the city had cost estimates of \$185,842 for an addition and \$136,858 for the remodel. Mayor Hattan stated this was not an ideal project, but the commission engaged with an architect who prepared plans, prepared a timetable, studied estimates and took staff and public input. Mayor Hattan said "I don't mind taking criticism for the decision reached by the commission. It is to my disappointment that we do not have a good plan. My greatest disappointment is operating in a manner 'do it right the first time', staff has deliberately withheld information from the commission, threatened the Library Board with less funding and consulted bond counsel without an approved project."

Commissioner Robbins commented on City Manager Kloster's statement from the last meeting regarding the negative aspect of the city hall remodel project, that in addition to floor space, the dollars spent probably will equal what new construction costs would be". Commissioner Robbins stated that he had never seen these plans or what new construction costs would be. Commissioner Robbins asked if there were plans that the commission hasn't seen?

City Manager Kloster stated that these plans "have not been prepared".

Commissioner Robbins stated that the remodel passed by a 2/3 vote and normally on a democratic type of system, that would have been the end of it. Commissioner Robbins wondered why people were dragging their feet. Commissioner Robbins stated that one commissioner is not for the remodel, but the majority should prevail. Commissioner Robbins stated as in his letter to the editor, the Commission should set the pace they want to see it go. Commissioner Robbins stated that "not everybody's going to like what we are doing but we felt it was for the better of the city".

DECLARATION FOR PARTICIPATION IN THE FIREFIGHTERS RELIEF FUND, 1998 APPROVED

Staff recommended that the Commission authorize the Mayor and City Clerk to execute the State of Kansas Declaration for Participation in the Firefighters Relief Fund for 1998. Commissioner Robbins moved to authorize the Mayor and City Clerk to execute the State of Kansas Declaration for Participation in the Firefighters Relief Fund for 1998. Commissioner Hattan seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 4, 1998 CONT.

DEVELOPMENT AGREEMENT(ANTHONY & YOLINDA MEYER)

APPROVED

City Attorney Retter advised that we have a development agreement, that is our standard agreement for ten (10) years, it can not be transferred to different property owners and shall hold the City harmless from any claim for damages or relief from any personal injury. The agreement is for a garage and entry stairs that are on the public right of way owned by the city. Following discussion, Commissioner Bombardier moved to authorize the Mayor and City Clerk to sign the Development Agreement with Anthony M. Meyer and Yolinda M. Meyer. Commissioner Robbins seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 4, 1998 CONT.

PUBLIC COMMENT

Irene Brown asked the commission the status of the Police Department Relocation Project. Mayor Hattan stated that while the city was committed to the consolidation study, the city was doing nothing. Mrs. Brown asked if competitive bids were taken. Mayor Hattan advised that the city voted to do competitive bids, but at one point Acting City Manager Sedlacek, advised the commission that a design build approach to the project would speed things up. At that point the commission decided to follow a design build approach to the Police Department Remodel Project. (Mrs. Brown stated that the commission doesn't make wise decisions, but she begs to differ.) She stated that "the City Commission doesn't direct the way the City goes, the peoples' voice directs the City Commission to flow the way the City goes." Mayor Hattan stated that at the meeting where the commission discussed the Police Department Project, 90 to 95% of the people were for the remodel.

Lee Doyen stated the he hoped that the City and County could work together to have a better facility for both agencies.

CITY MANAGER COMMENTS

City Manager Kloster advised the commission of the following:

- Kirk and he would be going to Topeka, to talk with the Department of Transportation regarding the lighting on US 81 and address the concern of the entrances of the east and west side of the airport park.
- Last week a Bill passed the House of Economic Development Committee. The Bill allows for TIF development in housing areas.
- The City has some inadequate EMS equipment. The City has had one (1) ambulance unit out of service for most of the last couple of weeks and on one occasion both units were out of service during which time a Republic County Ambulance was housed here.

Mayor Hattan stated that he hoped that this was not an implication that the commission is not interested in securing new proper equipment, because they are.

Commissioner Bombardier advised that they had the walk through of the Waste Water Treatment Plant and there are still things to be done. Commissioner Bombardier advised that March 4, 1998 is the completion date for the project.

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: 5:30 p.m.

The commission reconvened at 5:45 p.m.

Commissioner Robbins moved to recess for an additional fifteen (15) minutes to continue the discussion of non-elected personnel. Commissioner Bombardier seconded. Motion carried. Time: 5:45 p.m.

The commission reconvened at 6:00 p.m.

Commissioner Robbins moved to recess for an additional thirty (30) minutes to continue the discussion of non-elected personnel. Commissioner Hattan seconded. Motion carried. Time: 6:00 p.m.

The commission reconvened at 6:30 p.m.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 4, 1998 CONT.

Commissioner Robbins moved to recess for an additional fifteen (15) minutes to continue the discussion of non-elected personnel. Commissioner Bombardier seconded. Motion carried. Time: 6:30 p.m.

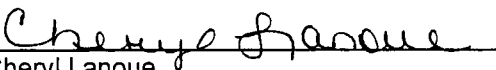
The commission reconvened at 6:45 p.m.

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

City Manager Kloster advised that the Utility Rate Study has been rescheduled to February 25, 1998, study session.

Mayor Hattan announced that there would not be a study session on February 11, 1998 and the next regular meeting would be February 18, 1998 at 4:00.

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 FEBRUARY 18, 1998

The governing body met in regular session on February 18, 1998, 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: Brad Lowell, Kirk Lowell, Robert Burns, Joe Jindra, Ken Campbell, Larry Remmenga, Bruce and Irene Brown, Tom Fisher, Theresa Bonebrake, Charles Burch, Robert Thomas, Barbara Larsen, Charles Jewell, Ralph E. Campbell, Amber Campbell, Angie Ngo, Chris Workman, Harriett Huber, Steve B. Horkman, Ron Deal, Marie Dale, Ken Parker, Ima Jean Chavey, Art Slaughter, Howard Levy, Everett Sheely, Stan Martin, Ron Olson, Raquel Boxum, Joe Goedert, Roberta Lowrey, Scott Condray, Mindy Condray, Amber Sibly, Andrew Mosher, Phil Detrixhe, Todd Nicholson, James Buller, Heath Dvorak, Phil Gilliland, Jeff Kymer, Ann Lucko, Armand Balthazor, and Kent Buer.

Minutes of the February 4, 1998 meeting were approved as written.

PROCLAMATION

YOUTH ART MONTH

Howard Levy, Art Instructor at the High School, asked that the Commission declare the month of March as Youth Art Month. Mayor Hattan declared the month of March 1998 as Youth Art Month.

FINANCIAL MATTERS

City Manager Kloster advised the commission that the Department Heads would be giving presentation on their departments as follows:

- Cheryl Lanoue, City Clerk/Director of Finance - January Financials
- Larry Remmenga, Director of Utilities - Water/Wastewater
- Bob Burns, Acting Fire Chief - Fire/Ems Reports
- Tom Fisher, Director of Streets - Street Department Report
- Phil Kloster, City Manager - Parks & Cemetery and Law Enforcement

QUITCLAIM DEED(FLEMING PARKING LOT 7TH & WASHINGTON)

ACCEPTED

City Attorney Retter stated that the commission needs to formally accept the deed, from Fleming, for the parking lot at 7th & Washington. Commissioner Robbins moved to accept the deed from Fleming Company. Commissioner Bombardier seconded. Motion carried.

STAN MARTIN LEGAL COUNSEL FOR THE CITY COMMISSION

APPOINTED

Mayor Hattan moved to appoint Stan Martin, from Abilene, as the City Commission's legal counsel. Commissioner Robbins seconded. Motion carried.

EXECUTIVE SESSION NON-ELECTED PERSONNEL

At this time Commissioner Hattan moved that the commission recess into executive session for twenty-five (25) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 4:50 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.

Commissioner Hattan moved to recess an additional thirty (30) minutes to continue the discussion of non-elected personnel. Commissioner Robbins 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.

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: 5:45 p.m.

The commission reconvened at 6:13 p.m.

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

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 18, 1998 CONT.

CLOUDCORP ANNUAL FUNDING AGREEMENT

APPROVED

Mr. Kirk Lowell, CloudCorp, updated the commission on all the projects for the last year and the current projects. Phil Gilliland, President of CloudCorp, advised the commission that CloudCorp was seeking private contributions with commitments of three (3) to five (5) years, so they could provide Kirk with a staff person. Following discussions, Commissioner Bombardier moved to authorize the mayor and city clerk to sign the funding agreement. Commissioner Robbins seconded. Motion carried.

CITY MANAGER KLOSTER RESIGNATION

ACCEPTED

City Manager Kloster stated he had reached the conclusion after several weeks of evaluating his potential to serve as city manager to Concordia that he could not give the full attention necessary to effectively do the job with all of the distractions that he is dealing with. Mr. Kloster said "In the short time I have been in Concordia, I have gotten to know a number of wonderful people that I hope I will be able to continue to count as friends in the years to come. As I have said on many occasions, I feel you have a great community that deserves all the best." Mr. Kloster states his resignation is effective in 30 days and he asked that he be allowed to step aside from all activities with the city effective immediately.

Mayor Hattan read Mr. Kloster's Tender of Resignation: "I, the undersigned, Philip A. Kloster, hereby tender my resignation as City Manager of the City of Concordia, Kansas, effective March 18, 1998, with a complete reservation of rights as to the City, and all city employees, agents and representatives. Nothing contained herein shall adversely affect any legal remedy or right whether contractual or by operation of law that Philip A. Kloster may have as to the City and its employees, agents or representatives. This resignation will not be used as a defense to any claim of destructive discharge."

Commissioner Hattan moved to accept Mr. Philip A. Kloster's resignation. Commissioner Robbins seconded. Motion carried.

Commissioner Hattan moved to relieve Mr. Kloster from all duties and responsibilities with the city manager position effective immediately. Commissioner Robbins seconded. Motion carried.

LARRY REMMENG - ACTING ASSISTANT CITY MANAGER

APPOINTED

Commissioner Hattan moved to appoint Larry Remmenga, Director of Utilities, as Acting Assistant City Manager, until February 25, 1998. Commissioner Robbins seconded. Motion carried.

Mayor Hattan advised that all comments or questions should be directed to Mr. David Retter or Mr. Stan Martin.

PUBLIC COMMENTS

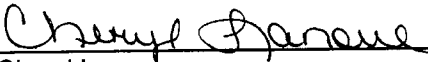
Chris Workman stated that the Concordia EMS Department needs a new ambulance and wondered if the City was going to purchase one. Mayor Hattan advised that Bob Burns, Acting Fire Chief, is currently working on the specification and if you would like to have any input on the specifications she could contact Bob Burns.

Ima Jean Chavey asked the commission if there would be a charge for obtaining information regarding negotiations with Mr. Kloster. Mr. Retter advised that there would be no charge, because his response would be that it is a personnel matter, disclosure of anything regarding the negotiations could result in a civil liability claim.

Todd Nicholson asked if the \$200,000 certificate of deposit was pledged by the city commissioners in an open meeting. Commissioner Hattan advised that on February 9, 1998 he had received a request regarding the \$200,000 that was unavailable on the quarterly report. Mayor Hattan stated that this was his reply, "A short note to confirm my phone response to your February 9, 1998 request for information. In December, a \$200,000 certificate of deposit owned by the City of Concordia was pledged to the Citizens National Bank to secure a personal loan for Philip Kloster and his wife. To my knowledge \$100,000 of these funds have been withdrawn. The City Commission is currently reviewing these transactions." On February 11, 1998 The Concerned Citizens of Cloud County requested from Cheryl Lanoue the First Addendum to the City Manager's contract. On February 13, 1998 The Concerned Citizens of Cloud County requested from Cheryl Lanoue a copy of the document that shows that the City Commission reviewed and approved the amount, terms, conditions, and use of the proceeds of the Kloster loan secured by the City of Concordia certificate of deposit. The following was the letter to that response. Please find enclosed a copy of the certificate of deposit and an agreement between the City and Citizens National Bank, regarding this transaction. Per request of the City Attorney, I am enclosing City Manager Kloster's employment contract and first addendum. If there is any other documentation regarding the City Commission reviewing and approving the amount, terms, conditions, and use of the proceeds of the Kloster loan secured by the City of Concordia certificate of deposit, it has not been brought to my attention nor is it on file in my office.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 18, 1998 CONT.

There being no further business Commissioner Hattan moved to adjourn the meeting to February 25, 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 FEBRUARY 25, 1998

The governing body met in adjourned session on February 25, 1998, at 6:35 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 Assistant City Manager Remmenga, 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, Marie Dale, Kirk Lowell, John Bailey, Cheryl Phillippi, Walt Huber, Ron Deal, Joe Strecker, Ken Campbell, Joe Jindra and Burl Maley.

EXECUTIVE SESSION NON-ELECTED PERSONNEL

At this time Commissioner Hattan moved that the commission recess into executive session for twenty (20) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 6:35 p.m.

The commission reconvened at 6:55 p.m.

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

Commissioner Hattan moved to recess an additional thirty-five (35) minutes to continue the discussion of non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 6:55 p.m.

The commission reconvened at 7:30 p.m.

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

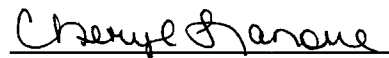
CONTRACT - LARRY REMMENG(ACTING CITY MANAGER)

APPROVED

Commissioner Hattan moved to extend a contract to Larry Remmenga during the interim period, he will serve until he is no longer needed. Commissioner Robbins seconded. Motion carried.

Mayor Hattan announced that there would be a study session following adjournment of this meeting.

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 MARCH 4, 1998

The governing body met in regular session on March 4, 1998, at 4:10 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 Assistant City Manager Remmenga, City Attorney Retter and City Clerk Lanoue.

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

Visitors: Brad Lowell, Kirk Lowell, Robert Burns, Joe Jindra, Ken Campbell, Art Slaughter, Roberta Lowrey, Andy Mosher, Armand Balthazor, Stephanie Johnson, Justin Kline, Rob Mahan, Kelly Guerruo, Judith McKee, Don Cart, Charlene Marlow, Helen Mosher, Burl Maley, Charles Stryker, Judy and Ray Kircher, Lee Doyen and Joe Strecker.

Minutes of the February 18, 1998 regular meeting and February 25, 1998 adjourned meeting were approved as written.

APPROVING APPROPRIATIONS

APPROVED

Mayor Hattan moved that the commission go back to approving the appropriation ordinances and instructed the City Attorney to take the appropriate steps to reflect that change. Commissioner Robbins seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 3 and 4

APPROVED

Appropriation Ordinance No. 3 and 4 were approved according to law.

PROCLAMATION

AMERICAN CANCER SOCIETY DAFFODIL DAYS

Mayor Hattan read the proclamation and declared March 6th and 7th, 1998 as American Cancer Society Daffodil Days.

LIBERTY CELLULAR AGREEMENT

APPROVED

Acting Assistant City Manager Remmenga advised the commission that Liberty Cellular would like to exercise their right in the agreement to rent month by month for their tower, that is currently on a City's water tower. Commissioner Bombardier moved to approve the month by month rent agreement. Commissioner Robbins seconded. Motion carried.

CAS UPDATE AND CHANGE ORDER NO. 1

AUTHORIZED

Rob Mahan advised the commission that the design/build project started approximately one (1) year ago and that they still need to complete some walk ways. Mr. Mahan advised that the design/build project completed the mandates made by the state and included some maintenance items, but there are still some maintenance items that have been deferred. Mr. Mahan stated that the clarifiers, electrical and the aeration system all need some maintenance work on them. Commissioner Bombardier moved to authorize the Mayor to sign Change Order No. 1. Commissioner Robbins seconded. Motion carried.

MAYOR HATTAN QUESTIONS FOR UTILITY RATE STUDY

Mayor Hattan asked the following questions be addressed by PEC, Engineering:

- If the 40% increase was PEC's recommendation from the needs assessment.
- Identify the capital improvements projects which equal the 30,000 and 35,000 linear feet for water and sewer.
- Impacts of the KDHE water quality mandates

Acting Assistant City Manager Remmenga stated that PEC would be back on March 18th, 1998.

At this time Cheryl Lanoue, City Clerk presented General Fund and Utility Fund Cash carryovers for the last ten (10) years.

Acting Assistant City Manager Remmenga advised the commission that Tree City USA award would be held March 19, 1998, in Topeka.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 4, 1998 CONT.

EXECUTIVE SESSION NON-ELECTED PERSONNEL

At this time Commissioner Hattan moved that the commission recess into executive session for five (5) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 4:40 p.m.

The commission reconvened at 4:45 p.m.

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

Mayor Hattan announced that Larry Remmenga would continue as Acting Assistant City Manager and that the commission have not decided the course on how the commission will pursue a replacement city manager.

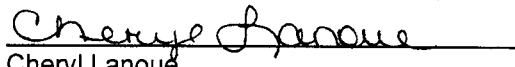
EXECUTIVE SESSION ATTORNEY CLIENT PRIVILEGES

At this time Commissioner Hattan moved that the commission recess into executive session for twenty-five (25) minutes to discuss attorney client privileges. Commissioner Robbins seconded. Motion carried. Time: 4:50 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 Hattan moved to adjourn the meeting to March 11, 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 MARCH 11, 1998

The governing body met in adjourned session on March 11, 1998, at 6:45 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: Acting Assistant City Manager Remmenga, Attorney Swenson and City Clerk Lanoue.

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

Visitors: Kirk Lowell, Armand Balthazor, Judith McKee, Tom Fisher, Burl Maley, Vince Crough, Marie Dale and Ken Campbell.

1998 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 \$8,695.00. 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	\$ 730.00
Public School Districts	\$ 1,052.00
Concordia Police Department	\$ 2,158.00
Manna House	\$ 526.00
City of Concordia (EAP) and other alcohol and drug related education and intervention projects	\$ 805.00
Agency Counseling & Treatment for the indigent by: Pawnee Mental Health Service, Inc.	\$ 1,712.00
Kerr's Counseling	\$ 1,712.00
Total	\$8,695.00

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

ORDINANCE NO. 98-2679(ABB PREHEATER-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 Hattan. Said Ordinance was duly read and considered, and upon being put, the motion for the adoption of an Ordinance was carried by the vote of the governing body, the vote being as follows:

Aye: Commissioners Hattan and Bombardier.

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. 98-2679 and was signed by the Mayor and attested by the Clerk.

EASEMENT FROM BONEBRAKE

ACCEPTED

Acting Assistant City Manager Remmenga advised that the Bonebrakes would be giving the City easement on Washington Street for utilities and 1/2 of the street. Following discussion, Commissioner Bombardier moved to accept the easement from the Bonebrakes. Commissioner Hattan seconded. Motion carried.

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD MARCH 11, 1998 CONT.

EXECUTIVE SESSION NON-ELECTED PERSONNEL

At this time Commissioner Hattan moved that the commission recess into executive session for twenty-five (25) minutes to discuss non-elected personnel. Commissioner Bombardier seconded. Motion carried. Time: 6:50 p.m.

The commission reconvened at 7:15 p.m.

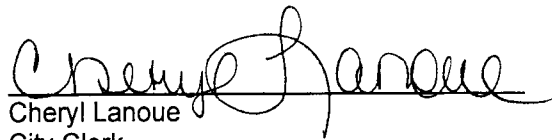
Mayor Hattan announced that the Commission had been discussing non-elected personnel and no binding action had been taken.

ADVERTISEMENT OF CITY MANAGER POSITION

APPROVED

Commissioner Bombardier moved to instruct City Clerk Lanoue to advertise the City Manager position in the League and the International Association of City Managers. Commissioner Hattan seconded. Motion carried.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 18, 1998

The governing body met in regular session on March 18, 1998, at 4:08 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 Assistant City Manager Remmenga, City Attorney Retter and City Clerk Lanoue.

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

Visitors: Brad Lowell, Robert Burns, Joe Jindra, Roberta Lowrey, Armand Balthazor, Judith McKee, Burl Maley, Marie Dale, Thomas Simoneau and Joe Strecker.

Minutes of the March 4, 1998 regular meeting and March 11, 1998 adjourned meeting were approved as written.

APPROPRIATION ORDINANCE NO. 5

APPROVED

Appropriation Ordinance No. 5 was approved according to law.

PROCLAMATION

ARBOR DAY

Mayor Hattan read the proclamation and declared March 18th, 1998 as Arbor Day.

HOUSING AUTHORITY APPOINTMENTS

ARMAND BALTHAZOR AND RAY CALLAWAY

Staff has contacted both Armand Balthazor and Ray Callaway and they have indicated a willingness to be reappointed. Commissioner Bombardier moved to appoint Ray Callaway and Armand Balthazor to the Housing Authority for four (4) year terms, from 4-1-1998 to 4-1-2002. Commissioner Robbins seconded. Motion carried.

LIBRARY BOARD APPOINTMENTS

JANICE ENGLE AND JIM WINTER

Staff has contacted Denise deRocheffort-Reynolds, Library Director, and the Library Board President is requesting that Janice Engle and Jim Winter be reappointed for four (4) year terms. Commissioner Bombardier moved to appoint Janice Engle and Jim Winter to the Library Board for four (4) year term starting 5-1-98 to 4-30-2002. Commissioner Robbins seconded. Motion carried.

UTILITY RATE ORDINANCE

TABLED

City Attorney Retter advised the commission that staff didn't feel all the issues have been resolved. He was recommending to Acting City Manager Remmenga and the commission that at the next adjourned meeting, the commission pass an ordinance amending the calculation of sewer until May of this year only, to give staff an extra month to resolve the issues on the utility rate increase. Following discussion, Commissioner Hattan moved to table the Utility Rate Ordinance. Commissioner Robbins seconded. Motion carried.

POOL RATES

APPROVED

Judith McKee, Director of Public Grounds advised the commission that the pool rates are as follows:

DAILY

SEASON

Infant - K .75
K to 17 1.00
18 - Adult 1.50

Child/Jr./Sr. to 17 \$30.00
18 - Adult 35.00
Family 60.00

12:00 Noon - 12:50 p.m.

Adult Only Swim - Daily Admission \$.75; Season Ticket \$10.00

TEN TICKET PASS

PRIVATE PARTIES

Adult \$12.50
Child - 17 8.00

\$40.00/Hr. - 1-50 people
\$50.00/Hr. - 51-75 people
\$60.00/Hr. - 76-100 people

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 18, 1998 CONT.

SEASON

HOURS OF OPERATION

Saturday, May 23, 1998

May/June 1:00 to 8:00 p.m.

through

July 1:00 to 9:00 p.m.

Sunday, August 16, 1998

August 1:00 to 8:00 p.m.

Commissioner Robbins moved to approve the revised pool rates. Commissioner Bombardier seconded. Motion carried.

POLICE CAR 1998 BID AWARD

BABE HOUSER MOTOR

Burl Maley, Police Chief, advised the commission that the city received one (1) bid as follows:

**CITY OF CONCORDIA
TABULATION SHEET
POLICE DEPARTMENT 1998 POLICE PACKAGE VEHICLE BID**

DATE: 3-12-98

TIME: 12:00P.M.

BIDDER

BID WITHOUT TRADE

BID WITH TRADE-IN

BABE HOUSER MOTOR CO.	\$19,805.00	\$17,305.00
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Following discussion, Commissioner Bombardier moved to accept the low bid from Babe Houser Motor Co., Inc., but to advertise the 1995 Ford Taurus. If the bids come in at more than \$2500 then the city would sell the car out right otherwise the city would trade-in the 1995 Ford Taurus. Commissioner Robbins seconded. Motion carried.

CITY ATTORNEY RETTER COMMENT

City Attorney Retter advised the commission that the Cloud County Commissioners requested an opinion on CloudCorp Funding. Mr. Retter stated that Mr. Walsh's opinion was that if such a funding to CloudCorp, Inc., is made to promote a valid public purpose, it is permissible.

PUBLIC COMMENTS

Armand Balthazor asked Mr. Maley how many police cars he had. Mr. Maley stated that he had five (5).

EXECUTIVE SESSION NON-ELECTED PERSONNEL

At this time Commissioner Hattan moved that the commission recess into executive session for twenty-five (25) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 4:35 p.m.

The commission reconvened at 5:00 p.m.

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

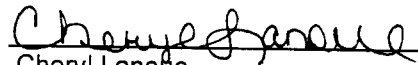
Commissioner Hattan moved to recess an additional fifteen (15) minutes to continue the discussion of non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 5:00 p.m.

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.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 18, 1998 CONT.

There being no further business, Commissioner Bombardier moved to adjourn the meeting to March 25, 1998, at 6:30 p.m. at the City Commission Room, in the City Hall. Commissioner Robbins seconded. Motion carried.


Cheryl Lanotte
City Clerk

(Seal)

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD MARCH 25, 1998

The governing body met in adjourned session on March 25, 1998, at 6:45 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 Remmenga, Attorney Retter and City Clerk Lanoue.

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

Visitors: Kirk Lowell, Burl Maley, John Bailey, Cheryl Phillippi, Joe Strecker and Ken Campbell.

ORDINANCE NO. 98-2680(UTILITY RATE INCREASE)

PASSED

Cheryl Phillippi, with PEC, presented to the commission a few changes to the water and sewer rate study, as follows:

- Future rate increases may be necessary to finance improvements such as: lead and copper removal treatment; water rights acquisition; well source improvements; distribution system replacement which exceeds the recommendations contained within this report; and sewer system improvements which are beyond the items identified within this report.
- There should be consideration given to increasing the Rural Water District charges to approximately \$600.00 per month as the minimum, and increasing the volume charge by a uniform 40% amount also.

John Bailey, PEC, went over the Water Quality and Quantity issues with the commission, Appendix - Exhibit C of the Water & Sewer Rate Study.

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE ESTABLISHING RATES FOR WATER AND SEWER SERVICES IN THE CITY OF CONCORDIA, KANSAS, AND PROVIDING THE DETAILS THEREOF; REPEALING EXISTING CONCORDIA CODE SECTION 26-47 AND 26-49; AND AMENDING THE CONCORDIA CODE BY ADDING TWO SECTIONS, TO BE NUMBERED 26-47 AND 26-49.

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 an Ordinance was carried by the vote of the governing body, the vote being as follows:

Aye: Commissioners Hattan, Robbins and Bombardier.

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. 98-2680 and was signed by the Mayor and attested by the Clerk.

EXECUTIVE SESSION NON-ELECTED PERSONNEL

At this time Commissioner Hattan moved that the commission recess into executive session for twenty-five (25) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 7:05 p.m.

The commission reconvened at 7:30 p.m.

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

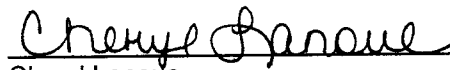
Commissioner Hattan moved to recess an additional thirty (30) minutes to continue the discussion of non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 7:30 p.m.

The commission reconvened at 8:00 p.m.

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD MARCH 25, 1998 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. Commissioner Bombardier seconded. Motion carried.



Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 1, 1998

The governing body met in regular session on April 1, 1998, 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.

Absent: None.

Other Officers: City Attorney Retter and City Clerk Lanoue.

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

Visitors: Brad Lowell, Robert Burns, Joe Jindra, Roberta Lowrey, Armand Balthazor, Judith McKee, Burl Maley, Marie Dale, Kirk Lowell, Rich Caplan, Stan Martin and Joe Strecker.

Minutes of the March 18, 1998 regular meeting and March 25, 1998 adjourned meeting were approved as written.

APPROPRIATION ORDINANCE NO. 6

APPROVED

Appropriation Ordinance No. 6 was approved according to law.

Mayor Hattan arriving at 4:20 p.m.

RESOLUTION WAIVING OF GAAP

TABLED

Mayor Hattan advised the commission that he would not recommend waiving GAAP at this time. Mayor Hattan stated that there were several irregularities in the bids. Mayor Hattan moved to table the resolution to waive GAAP. Commissioner Robbins seconded. Motion carried.

RESOLUTION AUTHORIZING POLICE DEPT. RELOCATION

TABLED

Mayor Hattan advised that the commission was considering relocating the Police Department to the Park Department building at 401 W. 6th for the following reasons:

- More space available than at city hall or the addition
- That the commission was still involved with the consolidation talks with the County
- Remodeling the park building would provide flexibility, if consolidation happened

Following discussion, Mayor Hattan moved to table the resolution authorizing the police department relocation. Commissioner Bombardier seconded. Motion carried.

PAWNEE/BLOSSER SEWER PROJECT LETTER OF INTENT

PASSED

Kirk Lowell, CloudCorp, advised the commission that this letter of intent would consider including the Broadway sewer project in the 1998 capital improvement plan and, if not that, consider improving the sewer main if and when future development occurs at the south edge of town. Following discussion, Commissioner Bombardier moved to authorize the Acting City Manager to sign the letter of intent. Commissioner Robbins seconded. Motion carried.

US 81 SOUTH ENTRANCE AND US 81 LIGHTING

DISCUSSION

Kirk Lowell, CloudCorp, stated that the resolution for the US 81 south entrance would request that the state pay 100 percent of the cost of the project since US 81 is part of the systems enhancement portion of the state's comprehensive plan. Mr. Lowell stated that it would improve access and economic development along the highway.

Mr. Lowell stated that they would argue that the state needs to provide the lighting along US 81 corridor because of safety and because the state paid for the cost of the lights at the Minneapolis interchange and offered to install lights at the US 81 - US 24 junction. Mr. Lowell stated that if the state did install the lights the city would be required to maintain and pay the monthly energy cost. Mr. Lowell stated that the energy cost would be \$4.44 per fixture and currently the city is paying \$9.60.

ORDINANCE NO. 98-2681(ANNEXATION OF PAWNEE MENTAL HEALTH)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF CONCORDIA, KANSAS; AND PROVIDING THE DETAILS THEREOF.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 1, 1998 CONT.

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 an Ordinance was carried by the vote of the governing body, the vote being as follows:

AYE: Commissioner Hattan, Robbins and Bombardier

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. 98-2681 and was signed by the Mayor and by the Clerk.

BOUNDARY AND ANNEXATION SURVEY

AUTHORIZED

City Clerk Lanoue advised that the Census Bureau was conducting the boundary and annexation survey to obtain current information and Ken Johnson has reviewed the maps. Following discussion, Commissioner Robbins moved to authorize the mayor to sign the Boundary and Annexation maps for the Census Bureau. Commissioner Bombardier seconded. Motion carried.

MAYORS COMMENTS

Mayor Hattan answered some questions on the Utility Rate Increase as follows:

- Mayor Hattan advised that the 40% increase was based on towns around Concordia and what the market would bear.
- Mayor Hattan stated that the only money that was committed was the \$700,000 for bringing the Treatment Plant into compliance.
- The commission has not specified what projects would be done with the additional revenue.
- Mayor Hattan also stated that there are issues with the distribution system and water quality also.

PUBLIC COMMENTS

Armand Balthazor asked the commission if there was going to be water meters installed for apartments as recommended by the utility rate study. Commissioner Bombardier stated that part of the rate study will not be implemented at this time. Mayor Hattan stated that the city probably will not install separate meters in every location, but rather charge a larger monthly minimum for apartment dwellings. Mr. Balthazor stated that for the last two (2) years the city has spent a lot of money on the relocation of the police department and now it is down the drain. Mayor Hattan advised that the park department facility has more room, parking, better visibility and better resale value, if we remodel the facility.

EXECUTIVE SESSION - NON-ELECTED PERSONNEL

At this time Commissioner Hattan moved that the commission recess into executive session for twenty-five (25) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 5:05 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.

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

Commissioner Hattan moved to recess an additional thirty (30) minutes to continue the discussion of non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 6:00 p.m.

The commission reconvened at 6:30 p.m.

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

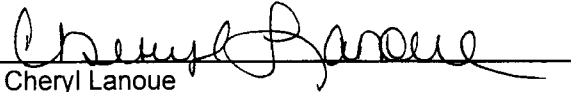
MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 1, 1998 CONT.

INTERIM CITY MANAGER

RICHARD CAPLAN

Commissioner Robbins moved to authorize the Mayor to sign an agreement with Richard Caplan for services of interim City Manager. Commissioner Bombardier seconded. Motion carried.

There being no further business, Commissioner Hattan moved to adjourn the meeting to April 8, 1998, 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 APRIL 8, 1998

The governing body met in adjourned session on April 8, 1998, at 6:35 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: City Attorney Retter, Acting City Manager Caplan and City Clerk Lanoue.

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

Visitors: Judith McKee, Burl Maley, Marie Dale, Kirk Lowell, Larry Remmenga, Gene Leonard, Ken E. Campbell, Larry Brundridge, Thomas Simoneau, Joe Strecker, Mel Giersch, Ken Hauschel, Bruce Henderson, Jeff Widen, Joe Breault, Kay Cyphers, Larry Uri, Roger Barrett, George Bean, Andrew Johnson and Eric Johnson.

US 81 SOUTH ENTRANCE & STREET LIGHTING

DISCUSSION

Kirk Lowell, CloudCorp, advised the commission that Mr. Caplan would like to look at the files.

LEGAL SERVICES

DISCUSSION

Acting City Manager Caplan stated that City Attorney Retter would be identifying someone in their firm, to back him up when he is out of town or city staff is unable to contact Mr. Retter. City Attorney Retter stated that Mr. Uri would be the individual designated to fill in, when he was not available.

POLICE DEPARTMENT RELOCATION ARCHITECTURAL FEES

APPROVED

Acting City Manager Caplan stated that there were strained working conditions and the police department needed a new site. Mr. Caplan also stated that it was the commission's intention to continue the consolidation discussions.

Larry Remmenga, Director of Utilities, presented to the commission hard cost for remodeling the park department building as follows:

• Construction Cost	\$135,550.00
• Contingencies	\$ 13,555.00
• Architectural Fees	\$ 11,182.88
TOTAL	\$160,287.88

Mr. Remmenga advised that there would be a storm shelter in the dispatch area of the building.

Eric Johnson, Campbell & Johnson, stated that the estimate did not include the following:

- Generator & Base
- Radio Tower & Base
- 911 relocation cost
- Furniture and other similar items
- Asbestos inspection or removal - required by KDHE

Commissioner Hattan stated that he felt that if there are more than two general or mechanical contractors interested then the city should bid it out.

Following discussion, Commissioner Hattan moved to authorize Campbell & Johnson to engage in architectural services for \$11,182.88. Commissioner Robbins seconded. Motion carried.

PUBLIC COMMENTS

Gene Leonard, Riteway Laundry, advised the commission that he understood why the city increased the utility rates, but his business would be affected dramatically by it. Mr. Leonard stated that the projected increase for water and sewer would be \$20,033.78 a year. Mr. Leonard explained that he had contracts that were for three (3) years and could not increase them to offset the increase in the utility bill. Mr. Leonard stated that part of the problem was the declining rates for volume users, was gone.

Mayor Hattan stated that the General Fund did subsidize the Utility Department. For example the relocation of the water and sewer lines on US 81 were GO Bonds instead of Revenue Bonds, because there was not enough money in the utility department to do Revenue Bonds. Mayor Hattan stated that the increase was for capital improvement projects and operating capital.

Acting City Manager Caplan stated that water rates have not been raised for six (6) years. Mr. Caplan stated that you do not want a major business utility rate to be increased by 126%. Mr. Caplan

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD APRIL 8, 1998 CONT.

suggested possibly putting a cap on the volume users in a given year and the cap should be somewhere between 40% and 126%. Mr. Caplan also suggested that the we look at the rate increase and possibly amend the large commercial accounts.

Mayor Hattan stated that the city did make a mistake, as you can see there are accounts that are being billed greater than 40%. Mayor Hattan advised that the city would look into to this.

Acting City Manager Caplan stated that we would call the consultants and review the rate study at the second study session in April and hopefully amend the ordinance at the first meeting in May.

EXECUTIVE SESSION - NON-ELECTED PERSONNEL

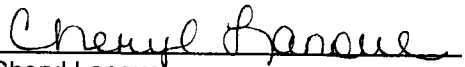
At this time Commissioner Hattan moved that the commission recess into executive session for forty (40) minutes to discuss non-elected personnel. Commissioner Robbins seconded. Motion carried. Time: 7:50 p.m.

The commission reconvened at 8:20 p.m.

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

Mayor Hattan announced that the next regular meeting would be April 15, 1998, at 4:00 p.m.

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 APRIL 15, 1998

The governing body met in regular session on April 15, 1998, 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, Hattan and Bombardier.

Absent: None.

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

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

Visitors: Brad Lowell, Joe Jindra, Armand Balthazor, Judith McKee, Burl Maley, Marie Dale, Kirk Lowell, Stan Martin, Jenny Horkman, Karoline Stoevesandt, Rita Layton, DL Layton, Joyce Robbins, Ross Olson, Michael Urban, Ruth Bombardier, Tom Fisher, Betty Humes, Mark Morgan, Larry Uri, Jana Strecker, Beldon Blosser, Andy Mosher, Dana Brewer, Larry Blochlinger, Ken Campbell, Ted Kalthoff, Martha Soucek, Verna Ferguson, Shirley Moynihan, Dane Devlin, Phil Gilliland, Bruce and Irene Brown, Judy Kircher, Tom Simoneau, Angela Stolzenburg, Diane M de Oliveria and Joe Strecker.

Minutes of the April 1, 1998 regular meeting and April 8, 1998 adjourned meeting were approved as written.

APPROPRIATION ORDINANCE NO. 7

APPROVED

Appropriation Ordinance No. 7 and issuance of a check to AIG for \$10,500 for a legal issue was approved according to law.

PROCLAMATION

PATRIOTS RECOGNITION DAY

Ross Olson read the proclamation for Patriots Day. Mayor Hattan declared April 18, 1998 as Patriots Recognition Day.

PRESENTATION TO COMMISSIONER ROBBINS

Mayor Hattan stated that when Commissioner Robbins came onto the commission the mill was 54.058 and the 1998 budget was 51.023 and the cash carryover was \$468,000 and currently \$1,046,000 in the general fund. Mayor Hattan presented Commissioner Robbins a plaque for the years of service on the City Commission.

ELECTION RESULTS

PLACED ON FILE

Mayor Hattan read 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 7, 1998, to be as follows:

For City Commission:

Joe Strecker	767
Armand Balthazor	236
Jeff Widen	2

Following the reading of the election results from the County Clerk, Mayor Hattan declared Joe Strecker to the Office of City Commissioner for a three (3) year term.

OATH OF OFFICE

City Ordinance prescribes that elected officials take the Oath of Office before entering into the duties of their office. City Clerk Lanoue administered the Oath of Office to Joe Strecker for a three (3) year term.

ANNUAL COMMISSION REORGANIZATION

SELECTION OF MAYOR

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

PRESENTATION OF PLAQUE TO COMMISSIONER HATTAN

Mayor Bombardier presented to Commissioner Hattan a plaque for service as Mayor for the City of Concordia the last year.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 15, 1998 CONT.

APPOINTMENT TO CLOUDCORP

JOE STRECKER

Kirk Lowell, Director of CloudCorp advised that CloudCorp Board of Directors has a designated director seat for a Concordia City Commissioner. Currently, LaVern Robbins is the City Commission representative. As Commissioner Robbins City Commission term ends, the City Commission will need to appoint a commissioner to serve on the CloudCorp Board of Directors. Following discussion, Commissioner Hattan moved to appoint Commissioner Strecker to serve on the CloudCorp Board of Directors. Commissioner Bombardier seconded. Motion carried.

MEMORIAL - LUCILLE BERGSTROM

ACCEPTED

Commissioner Bombardier moved to accept the memorial check from Lucille Bergstrom family for purchase of a pediatric backboard and authorized staff to prepare a letter of thanks to the Lucille Bergstrom family. Commissioner Hattan seconded. Motion carried.

MONITORING WELL SITES

AUTHORIZED

Larry Remmenga, Director of Utilities, advised that GeoCore Services has requested permission to construct a monitoring well(s) within the city easements on behalf of Fleming Companies, Inc. around the 3rd Street and Willow Street area. Following discussion, Commissioner Hattan moved to authorize the mayor to sign the easement granting access to property. Commissioner Strecker seconded. Motion carried.

PUBLIC COMMENTS

Armand Balthazor congratulated Commissioner Strecker. Mr. Balthazor stated that he felt the commission should consider building a dispatcher center with a basement, instead of remodeling.

Commissioner Hattan moved to recess for cake and punch until 5:00 p.m. Commissioner Bombardier seconded. Motion carried.

The commission reconvened at 5:00 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 attorney client privileges. Commissioner Strecker seconded. Motion carried. Time: 5:00 p.m.

The commission reconvened at 5:30 p.m.

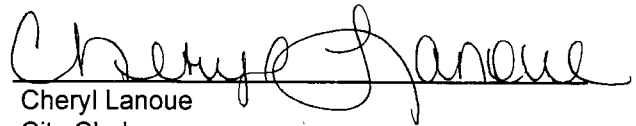
Mayor Bombardier announced that the Commission had been discussing attorney client privileges and no binding action had been taken.

Commissioner Hattan moved to recess an additional thirty (30) minutes to continue the discussion of attorney client privileges. Commissioner Bombardier seconded. Motion carried. Time: 5:30 p.m.

The commission reconvened at 6:00 p.m.

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

There being no further business, Commissioner Bombardier moved to adjourn the meeting to April 23rd, 1998 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 APRIL 23, 1998

The governing body met in adjourned session on April 23, 1998, at 6:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Strecker, Hattan and Bombardier.

Absent: None.

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

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

Visitors: Armand Balthazor, Larry Remmenga, Burl Maley, Ryan Miller, Travis Geisler, Larry Uri, Kenneth Hauschel, Gene Leonard, Bruce Henderson, Amanda Shanks, Paul Moon, Mel Giersch, Ed Hamel, David Condray, Tom Simoneau, Marie Dale, Ken Campbell, Kirk Lowell, Seth Retter, Irene Benyshek, Fedora Nobert, Joe Kuchera, Jeff Widen and Joe Breault.

AGREEMENT FOR SUPPLEMENTAL LEGAL SERVICE

PASSED

Acting City Manager Richard Caplan asked the City Commission to approve an agreement which would allow the city to obtain legal services for City Attorney Dave Retter. Dave Retter was present to explain the request for legal representation. Mr. Retter stated that this service was included in his employment agreement and that it is the same type of coverage that is provided to the City Manager, Commissioners and employees who might be involved in potential litigation. This coverage is also afforded by the Kansas Tort Claims Act.

Commissioner Hattan motioned that the city agree to provide legal services for Attorney Retter. Commissioner Strecker seconded. Motion carried.

PROCLAMATION

BUDDY POPPY WEEK

Fedora Nobert was present and asked the commission to proclaim April 23 to May 2, 1998 as Buddy Poppy Week. Mayor Bombardier signed the proclamation which recognizes this worthy fund raising campaign used exclusively for the benefit of disabled and needy Veterans and the widows and orphans of these veterans.

UTILITY RATE REVISIONS

Acting City Manager Caplan presented to the Commissioners an alternative rate analysis prepared by city staff. The new rate analysis included four alternatives, each of them are designed to increase revenues over a five year period to reach the target amount of \$2,034,180. The target amount is the total amount of the capital improvement projects for Water and Sewer presented to the commission. Acting City Manager Caplan presented the following alternatives:

- Alternative A would be a flat rate of \$1.85 per 100 cubic feet with no phase in period.
- Alternative B would also use a flat rate with a lower rate of \$1.50 per 100 cubic feet and effective 4-1-99 the amount per 100 cubic feet would be \$1.65.
- Alternative C if adopted would be a two tier plan, everything up to 24,999 would be at \$1.65 per 100 cubic feet. If the amount used is over 25,000 the rate would be \$1.35 per 100 cubic feet.
- Alternative D would utilize a three tier plan. Usage up to 2,999 cubic feet would be at \$1.85 per 100 cubic feet. If 3,000 cubic feet were used but not over 18,999 the rate would be \$1.65. The last step is \$1.40 for usage over 19,000 cubic feet. The minimum of \$8.80 would apply to all three steps for the first 200 cubic feet (minimum). After two (2) years the third tier would be eliminated and on 4-1-99 the second tier would be eliminated leaving the flat rate of \$1.85 per 100 cubic feet for all usage over minimum.

Acting City Manager Caplan stated that the alternative rate analysis was requested by the commission to find other ways of increasing water rates. The commission felt the water rate increase adopted in good faith on March 25, 1998 exceeded the overall forty (40) percent that was intended. In the alternative rate analysis the city's objective was to go to a flat rate because of the equity issue. A flat rate is not currently mandated by the state but it is strongly advocated by the Division of Water Resources. There are two (2) immediate impacts on the city associated with having a flat utility rate. The state has available a revolving loan fund for water and sewer improvements with a lower interest rate currently 3 1/2%, if you have a flat utility rate in place. Second is the Division of Water Resources is not as likely to transfer water rights to the city as we need to acquire new wells outside the city if we do not have the flat utility rate in use. After reviewing the alternatives it was noted that there could be software problems associated with implementation of these rate increases.

Commissioner Hattan stated that there is no doubt the city needs a rate increase and that it would take at least forty (40) percent to increase revenues to be able to cover all of the capital improvement

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD APRIL 23, 1998 CONT.

projects. At this time the need was there to study the revised rate increase further. Before the commission approves any new rate increases the city needs to address three areas that relate to the water rate increase. The first issue is to provide adequate notification for public comment, second to provide information to the public to explain the need for a utility rate increase and last we need to explain the purpose of going to a flat rate over the declining rate. At the current time the state does not require the use of flat utility rates but it's just a matter of time until they do. To give the commission extra time he felt like the commission should adopt a temporary plan at the next meeting which would be a forty (40) percent increase across the board for all users. With the extra time the city could look at the 1999 budget to see where the city is at financially. It would also give the city time to determine if the city would adopt a flat utility rate and give the staff time to update software in the event of a rate increase. The commission would also have the time to educate the people as to what direction the commission is going with the new utility rates.

Commissioner Strecker stated that he had done some research and that a lot of the utilities do give the industrial users a break by using a declining scale. He felt that if we did not offer the declining rate we would cause business to go elsewhere and therefore the declining rate should be kept in place.

Acting City Manager Caplan reminded the commission that as a consultant he needed to make them aware that by keeping the declining scale it could prevent the city from getting any revolving loan funds and any water rights issues in the future could be put on hold until the rate structure is changed.

Mayor Bombardier stated that the city should go with the flat rate for the reasons that Mr. Caplan had given.

Commissioner Strecker asked if there were any other ways to get additional revenues. Mr. Caplan said that there was some miscellaneous revenues that could be raised but that they were a modest part of the water revenues. Another alternative would be through the use of the general fund, where revenues are obtained through sales tax, property taxes and other sources. Commissioner Hattan commented that what the city is trying to do is get away from using general funds to help operate the Water Department.

Discussion was opened to the public attending the meeting and Gene Leonard suggested that the city finish its billing for April then go to the revised rates starting in May. This would let the city see what kind of revenue that was generated for one month under the current rates and compare it to last year. He also said that it would be a bookkeeping nightmare to give credit to all of the customers for the April billing. Everyone would just pay their April bill and then the city could go to the revised rate of forty (40) percent across the board until the commission had time to look at the utility rates further and adopt a new water rate ordinance that would fit the city's needs and be fair to the customers. Ken Campbell felt like the forty (40) percent was okay and to get to the flat rate that was being discussed you would just drop off the last rate step each year until you had a flat rate. This would give the high users time to adjust their business so they don't go broke the first year from high water rates, because forty (40) percent is a substantial rate increase. Mel Giersch said he understands the need for the rate increase but was concerned about the flat rate to comply with the Division of Water Resources because it penalizes the businesses that rely on water to operate their business. The idea of not giving a sliding scale punished them because they cannot conserve water to keep from paying a high water bill. It takes so much water to wash a pound of clothes. He thought maybe residential users could be billed at a flat rate and businesses on a sliding scale. This might meet the Division of Water Resources requirements to conserve water and still allow the businesses to survive. Commissioner Strecker stated that most utilities give high volume users lower rates. Mr. Caplan injected that is true because they are a profit making organization and to encourage more use they charge lower rates for more use. The city however is a nonprofit organization that does not give incentives for people to use more water. To reiterate Commissioner Hattan stated that the best thing to do would be to finish April's billing at the new rate then go back to the old rate schedule and increase it forty (40) percent across the board to include all the steps and that would be effective on the May billing. The commission would look at it again around budget time and make a decision as to what direction the city will take, to be effective possibly around the first of January.

Commissioner Hattan made a motion that the city complete billing of the fourth cycle at the new rate and directed staff to prepare an ordinance to be approved on the May 6th, 1998 meeting that would utilize a forty (40) percent across the board increase using the rate steps prior to adopting the new water rates ordinance on March 25th. Upon being put, the motion was carried by the vote of the governing body, the vote being as follows:

Aye: Commissioners Bombardier, Hattan and Strecker

Nay: None.

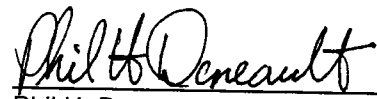
MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD APRIL 23, 1998 CONT.

EXECUTIVE SESSION - ATTORNEY CLIENT PRIVILEGES

At this time Commissioner Hattan moved that the commission recess into executive session for fifteen (15) minutes to discuss attorney client privileges. Mayor Bombardier seconded. Motion carried. Time: 7:45 p.m.

The commission reconvened at 8:00 p.m.

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



Phil H. Deneault
Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 6, 1998

The governing body met in regular session on May 6, 1998, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Strecker, Hattan and Bombardier.

Absent: None.

Other Officers: Acting City Manager Caplan, Acting City Attorney Uri and City Clerk Lanoue.

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

Visitors: Brad Lowell, Joe Jindra, Armand Balthazor, Burl Maley, Kirk Lowell, Janice May, Joe Goedert, Delores Landry, Ken Campbell, Ken Johnson, Larry Remmenga, Mary Frances Gregory, Lee Doyen and Luke Roenne.

Minutes of the April 15, 1998 regular meeting and April 23, 1998 adjourned meeting were approved as written.

APPROPRIATION ORDINANCE NO. 8

APPROVED

Appropriation Ordinance No. 8 was approved according to law.

CLOUD COUNTY TOURISM PRESENTATION

Delores Landry advised the commission that this is National Tourism Week. Mrs. Landry stated that the County had a two (2) percent bed tax on the following:

Non-lodging	69,106
Over night lodging	<u>103,658</u>
Total travel income	\$172,764

Mrs. Landry presented the commission with North Central Kansas Tour Guide and Cloud County Kansas Stained Glass Capital of Kansas pamphlets.

RELAY FOR LIFE COMMUNITY

Joe Goedert stated that Janice May and himself were co-chairpersons on the Relay for Life and would like to present the city a sign for a Relay for Life Community. Janice May stated that Concordia is a proud community and would like to give the commission a cap for their thanks.

CITY MANAGER COMMENTS

Acting City Manager Caplan stated that the city has two vacant positions, a Fire Chief and a Community Development Director. Bob Burns, Acting Fire Chief has been serving as the Fire Chief for 2 1/2 years. Mr. Caplan stated that effective immediately Burl Maley would be the Director of Public Safety. Mr. Caplan stated that Mr. Maley was hired in January 1982 and was promoted to Chief of Police in 1994. Commissioner Hattan asked if that would fully staff the Fire Department. Acting City Manager Caplan advised that management would be complete and that Mr. Maley and Mr. Burns would look at the staff position and equipment purchases in the next thirty (30) days.

Mayor Bombardier welcomed the four (4) high school students to the City Commission meeting.

ORDINANCE NO. 96-2682(UTILITY RATES)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE setting rates for consumption of water from the water supply of the City of Concordia, Kansas within said city's corporation limits; repealing Subsection (a) of Concordia Code Section 26-47; and amending the Concordia Code, by adding a Subsection, to be identified as (a), to Section 26-47.

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

Aye: Commissioners Hattan, Strecker and Bombardier.

Nay: None.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 6, 1998 CONT.

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. 98-2682 and was signed by the Mayor and attested by the Clerk.

FIRST QUARTER INVESTMENT REPORT

ORDERED PLACED ON FILE

Acting City Manager Caplan presented the first quarter investment report for 1998 per Ordinance No. 1860. Total interest received for the first quarter of 1998 was \$10,809.24 compared to \$15,281.71 for 1997. Commissioner Hattan moved to place the first quarter investment report on file. Commissioner Bombardier seconded. Motion carried.

AUDIT BID (MAPES & MILLER)

ACCEPTED

Acting City Manager Caplan advised the commission that the city solicited proposals, from the three (3) that sent proposals on 12-17-97, for the 1997 and 1998 audit as follows:

		1997 Without Single Audit	1997 With Single Audit	1998 Without Single Audit	1998 With Single Audit
(1)	Knudsen Monroe & Company LLC	\$18,500	\$20,000	\$19,000	\$20,500
(2)	Mapes & Miller, CPA's	\$11,900	\$11,900	\$12,400	\$12,400
(1)	Does not include any out-of-pocket expenses				
(2)	Fees are based on the city's accounting records ready to be audited as needed.				

Acting City Manager Caplan advised that Mapes & Miller, CPAs' proposal doesn't include General Accepted Accounting Principles, but their bid of \$16,950, from 12-17-97 proposals doing GAAP, would still be effective. Mr. Caplan advised that the City Attorney had received a release from Knudsen Monroe & Company, LLC, for the contract that was signed on January 22, 1998. Commissioner Hattan advised that the city has always waived GAAP. Following discussion, Commissioner Hattan moved to accept Mapes & Miller, CPAs' bid for 1997 and 1998 waiving GAAP, in the amount of \$11,900 and \$12,400 respectively. Commissioner Strecker seconded. Motion carried.

RESOLUTION NO. 98-1215(WAIVER OF GAAP)

PASSED

Thereupon, there was presented a Resolution entitled:

A RESOLUTION OF THE CITY OF CONCORDIA, KANSAS HAS CONSIDERED AND DEEMED IT ADVISABLE TO WAIVE THE REQUIREMENTS OF LAW RELATING TO THE PREPARATION OF FINANCIAL STATEMENTS AND FINANCIAL REPORTS THAT CONFORM TO THE GENERALLY ACCEPTED ACCOUNTING PRINCIPLES.

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

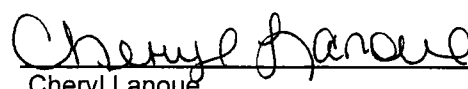
No: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 98-1215 and was signed by the Mayor and attested by the Clerk.

PUBLIC COMMENTS

Armand Balthazor stated that law enforcement under one building was working and that spending \$200,000 to remodel the park department building was wasting our money. Mr. Balthazor asked if Mr. Phil Kloster was suing the City of Concordia. Mr. Uri advised that he knew of no litigation that had been filed.

There being no further business, Commissioner Bombardier moved to adjourn the meeting to May 13, 1998 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 MAY 13, 1998

The governing body met in adjourned session on May 13, 1998, at 6:45 p.m. in the City Commission Room in the city Hall, the following members being present and participating, to wit: Commissioners Hattan, Strecker and Bombardier.

Absent: None.

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

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

Visitors: Tom Fisher, Larry Remmenga, Judith McKee, Burl Maley, Larry Uri, Ken Campbell, Marie Dale, Kirk Lowell and Tom Simoneau.

EXECUTIVE SESSION ATTORNEY CLIENT PRIVILEGES

At this time Commissioner Hattan moved that the commission recess into executive session for ten (10) minutes to discuss attorney client privileges. Commissioner Strecker seconded. Motion carried. Time: 6:45 p.m.

The commission reconvened at 6:55 p.m.

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

ACTING CITY MANAGER COMMENTS

Acting City Manger Caplan stated that there is a vacant piece of property over by Julie Street that the city owns and there is a property owner that is interested in acquiring it. Mr. Caplan stated that he also received a letter from another property owner that stated the neighbor kids use the property for a bike track.

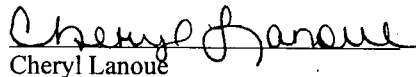
F & A FOOD SALES, INC. DEVELOPMENT AGREEMENT

DISCUSSION

Kirk Lowell, CloudCorp, advised the commission that the development agreement is in the process of being signed by F&A Food Sales, Inc. and Beldon Blosser.

Mayor Bombardier announced that there would be a study session following the meeting.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 20, 1998

The governing body met in regular session on May 20, 1998, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Strecker and Bombardier.

Absent: Commissioner Hattan.

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

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

Visitors: Brad Lowell, Joe Jindra, Armand Balthazor, Burl Maley, Kirk Lowell, Ken Campbell, Judith A. McKee, Tom Fisher, Marie Dale, Chris Nelson, Norman Christian, Larry Uri, Michael Adams.

Minutes of the May 6, 1998 regular meeting and May 13, 1998 adjourned meeting were approved as written.

APPROPRIATION ORDINANCE NO. 9

APPROVED

Appropriation Ordinance No. 9 was approved according to law.

PROCLAMATION

SHOW YOUR COLORS

Mayor Bombardier read the proclamation for Show Your Colors and declared May through August, 1998 as Show Your Colors, America months and urge every citizen of our city to fly the US flag from Memorial Day until the US Senate votes to return to the people our right to protect our flag.

F & A DEVELOPMENT AGREEMENT & F & A IRB BONDS

Kirk Lowell, CloudCorp, advised the commission that Blosser and F & A had not signed the agreements yet and that he would return the agreements on June 3, 1998.

CHANGE ORDER UTILITY RELOCATION US 81

AUTHORIZED

Acting Assistant City Manager Remmenga advised that there were several locations where the contractor had to go back several feet for a total change order of \$20,542. Commissioner Strecker moved to authorize the Acting City Manager to sign the change order. Commissioner Bombardier seconded. Motion carried.

Mayor Bombardier welcomed the government students.

PUBLIC HEARING - KDOT - 5 YEAR PLAN

HELD

Mayor Bombardier opened the public hearing on the five (5) year KDOT plan.

Mayor Bombardier asked for any public comments.

Mayor Bombardier advised that the projects on the list with first priority being as follows:

- 11th Street Hill to East City Limits
- 18th Street Archer to Lincoln
- Cedar Street 7th to 11th Street
- 2nd Street State to Kansas
- 2nd Street Kansas to Valley and Valley 2nd to 4th Street

There were no public comments.

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

PUBLIC COMMENTS

Armand Balthazor asked why we could not give a local guy a chance to be city manager.


Ken Campbell stated that the city needs someone that can get government grants like the cities around us.

Kirk Lowell stated that with the major expansion on US 81, the city needs someone that can do tax increment financing and public financing and that we don't have a year to train them. Mr. Lowell stated that we have local staff and they get slammed.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 20, 1998 CONT.

Mayor Bombardier announced that there would not be a study session on May 27, 1998 and the next regular meeting would be June 3, 1998.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 3, 1998

The governing body of the City of Concordia, Kansas met in regular session on June 3, 1998, at 4:00 p.m. in the City Commission Room in the City Hall, the following members of the City Commission were present: Commissioners Hattan, Strecker and Bombardier.

The following members of the City Commission were absent: None.

Other Officers: Acting City Manager Caplan, Acting City Attorney Uri and Deputy City Clerk Deneault.

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

Visitors: Brad Lowell, Joe Jindra, Armand Balthazor, Burl Maley, Kirk Lowell, Judith A. McKee, Beldon Blosser, Marie Dale, Nadyne Castonguay, Barbara Johnston, John O. Jackson, Omar Dutton, Dan Farha, Rick Hanson, Roberta Lowrey, Glenn Larsen, Paul Swenson, Phil Gilliland, Art Slaughter, Bruce and Irene Brown and Robert L. Steimel

Minutes of the May 20, 1998 regular meeting was approved as written.

APPROPRIATION ORDINANCE NO. 10

APPROVED

Appropriation Ordinance No. 10 was approved according to law.

AIRPORT ADVISORY REAPPOINTMENT PLANNING COMMISSION APPOINTMENT

KIRK LOWELL
TOM SIMONEAU

Acting City Manager Caplan stated that staff has contacted Kirk Lowell for the Airport Advisory Board and Tom Simoneau for the Planning Commission and both are willing to serve. Commissioner Bombardier moved to appoint Kirk Lowell to the Airport Advisory Board and Tom Simoneau to the Planning Commission. Commissioner Hattan seconded. Motion carried.

F & A DEVELOPMENT AGREEMENT

Kirk Lowell went through the F & A Development Agreement.

Commissioner Hattan asked if there was a timing issue for the sewer line to be completed. Mr. Lowell advised that the sewer line was mainly for the Ryder Truck facility. Mr. Lowell thinks that there is some flexibility with the sewer and street. Mr. Lowell stated that the water line is the one that has a timing issue.

Commissioner Hattan also stated that the agreement called for the City to participate immediately One Hundred (100) percent and the property owners participation of forty (40) percent. Mr. Lowell stated that he needed to know what the City would do.

Mr. Lowell stated that the cost would be \$141,632 with the Blosser's \$12,000 and if we setup a fifteen (15) year benefit district the cost would approximately \$14,243 per year cost to the community.

Commissioner Hattan stated that if the property owners are One hundred (100) percent in the project the City is one hundred (100) percent in the project and that the City is one hundred (100) percent in the project immediately and the property owners would not commit for approximately eighteen (18) months, he didn't feel that would work out.

RESOLUTION NO. 98-1216(F&A IRBS)

PASSED

Thereupon, there was presented to the City Commission a Resolution entitled:

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS
DETERMINING THE ADVISABILITY OF ISSUING TAXABLE INDUSTRIAL REVENUE BONDS OF
SAID CITY FOR THE PURPOSE OF FINANCING THE EXTENSION OF AN EXISTING COMMERCIAL
WAREHOUSE FACILITY LOCATED IN SAID CITY.

The Resolution was considered and discussed; and thereupon on motion by Commissioner Strecker, seconded by Commissioner Hattan, the Resolution was adopted by the following roll call vote:

Aye: Commissioner Hattan, Strecker and Bombardier.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 98-1216, and was directed to be signed by the Mayor and attested by the City Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 3, 1998 CONT.

EASEMENT FROM NORMAN CHRISTIAN & LAVON BROSSAU

ACCEPTED

Acting City Manager Caplan advised that Norman Christian and Lavon Brosseau would be giving the City easement for a sanitary and storm sewer utility purpose. Commissioner Hattan moved to accept the easement from Norman Christian and Lavon Brosseau. Commissioner Strecker seconded. Motion carried.

REVIEW OF GOAL SETTING SESSION

Acting City Manager Caplan advised that he had summarized the goals from the May 13, 1998 meeting. Commissioner Hattan asked about the Sale of Revenue Bonds for the Treatment Plant and the Police Relocation. Mr. Caplan advised that the Sale of Revenue Bonds would be in Level One and the Police Relocation would be a Level Two.

DISPOSAL OF SURPLUS LAND - JULIE STREET

AUTHORIZED

Acting City Manager Caplan stated that the city had some interest in land that the city owned on Julie Street. Mr. Caplan asked the commission if they wanted to advertise that piece of land. Commissioner Bombardier moved to authorize staff to advertise the piece of land for sale. Commissioner Hattan seconded. Motion carried.

LINCOLN TOWNSHIP BOARD OF TRUSTEES

Barbara Johnston, Lincoln Township Clerk, said they would like to discuss the funds that the townships pay the city and why they have to go into the general fund. Commissioner Hattan responded that we have several funds and they are in the general fund and that we get different monies from different things and they go in the general fund. Commissioner Hattan stated that the expenditures in the ambulance and fire departments were approximately \$335,000 less revenues taken in from the ambulance department. The remaining balance is supported by the taxpayers.

PUBLIC COMMENTS

Armand Balthazor stated that the city could spend thousands of dollars on a project and make an issue out of \$2.00 or \$3.00 for copies. Mr. Caplan advised that most cities charge for copies and for postage.

Irene Brown stated that the F & A project would be welcomed and it would broaden the city's tax base.

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 Bombardier seconded. Motion carried. Time: 5:45 p.m.

The commission reconvened at 6:15 p.m.

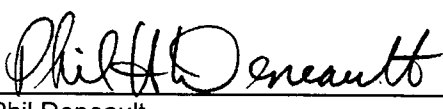
Mayor Bombardier announced that the Commission had been discussing non-elected personnel and no binding action had been taken.

At this time Commissioner Hattan moved that the commission recess into executive session for an additional fifteen (15) minutes to discuss non-elected personnel. Commissioner Bombardier seconded. Motion carried. Time: 6:15 p.m.

The commission reconvened at 6:30 p.m.

Mayor Bombardier 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 to June 10, 1998, at 6:30 p.m. at the City Commission Room, in the City Hall. Commissioner Hattan seconded. Motion carried.



Phil Deneault
Deputy City Clerk

(Seal)

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JUNE 10, 1998

The governing body met in adjourned session on June 10, 1998, at 6:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: None.

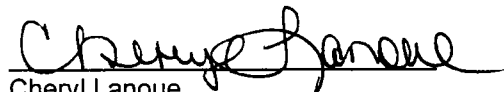
Absent: Commissioners Bombardier, Hattan and Strecker

Other Officers: City Clerk Lanoue.

There was not a quorum present.

Visitors: Kirk Lowell and Armand Balthazor.

The next regular City Commission meeting will be held on June 17, 1998 at 4:00 p.m.


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 17, 1998

The governing body of the City of Concordia, Kansas met in regular session on June 17, 1998, at 4:00 p.m. in the City Commission Room in the City Hall, the following members of the City Commission were present: Commissioners Hattan, Strecker and Bombardier.

The following members of the City Commission were absent: None.

Other Officers: Acting City Manager Caplan, Acting City Attorney Uri and City Clerk Lanoue.

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

Visitors: Brad Lowell, Joe Jindra, Armand Balthazor, Burl Maley, Kirk Lowell, Judith A. McKee, Irene Brown, Norm Christian, Phil Gilliland, Gail Engle, Larry Remmenga and Robert L. Steimel

Minutes of the June 3, 1998 regular meeting and June 10, 1998 adjourned meeting were approved as written.

APPROPRIATION ORDINANCE NO. 11

APPROVED

Appropriation Ordinance No. 11 was approved according to law.

RESOLUTION NO. 98-1217(440 W 7TH)

NUISANCE ABATEMENT

Mayor Bombardier 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 a nuisance exists at the following location:

1. 440 W 7th - Resolution No. 98-1217

City Clerk Lanoue 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. 98-1217 with fourteen (14) days. Motion carried.

F & A DEVELOPMENT AGREEMENT

APPROVED

Acting City Manager Caplan advised the Commission that F & A had asked for 100% tax abatement and the Commission would like to tie the tax abatement to the improvements. Mr. Caplan stated that F & A is willing to contribute to the water/sewer project of \$12,000, the same as Mr. Blosser. Mr. Caplan advised that the City should let F & A know where the City stands as soon as possible.

Commissioner Strecker advised that between F & A and Mr. Blosser, they would be giving the City 58,549 feet of easement, which would appraise at approximately \$146,373. Commissioner Strecker stated that the utility project cost is approximately \$141,000, which would cost the taxpayer approximately \$2.00 per year for fifteen (15) years. Commissioner Strecker thanked the past commissioners and Commissioner Hattan for the \$400,000 Community Development Block Grant and the \$675,000 IRB financing that was issued to help F & A. Commissioner Strecker pointed out in 1987 F & A was to create 67 jobs, they created 78 up 42%.

Commissioner Hattan stated that easement is not the same sale price of land, since the city does not own the easement. Commissioner Hattan pointed out that the guaranty from F& A is for seven (7) jobs in phase I and they would try for phase II.

Kirk Lowell stated that Commissioner Hattan was right the development agreement would call for seven (7) jobs in phase I and try on phase II. Mr. Lowell stated that in 1992 F & A did expansion 12, with IRB financing with the City's help, expansion 13 in 1995 of \$340,000 for additional freezers went on the tax roles and expansion 14 in 1996 of \$80,000 to \$90,000 in office space. Mr. Lowell stated that F & A has only come to the City twice for support.

Commissioner Hattan stated that he was in full support of the project, but wanted the citizens to know up front that this would only create seven (7) jobs.

Commissioner Strecker moved to accept the F & A Development Agreement with the modification that F & A would match Mr. Blosser's \$12,000 for the water/sewer lines. Commissioner Bombardier seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 17, 1998 CON'T.

RESOLUTION NO. 98-1218(CABLEONE)

PASSED

Thereupon, there was presented to the City Commission a Resolution entitled:

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS HEREBY CONSENTS TO AND APPROVES, SUBJECT TO APPLICABLE LAW, THE ASSIGNMENT OF CABLE ONE OF ITS RIGHT, TITLE AND INTEREST IN THE FRANCHISE TO BLACK CREEK, AND THE ASSUMPTION BY BLACK CREEK OF THE OBLIGATIONS OF CABLE ONE UNDER THE FRANCHISE WHICH ACCRUE FROM AND AFTER THE DATE OF CLOSING OF THE PURCHASE OF THE SYSTEM BY BLACK CREEK; AT WHICH TIME THE GOVERNING BODY AUTOMATICALLY SHALL BE DEEMED TO HAVE RELEASED CABLE ONE FROM ALL OBLIGATIONS AND LIABILITIES UNDER THE FRANCHISE WHICH ACCRUE FROM AND AFTER THE DATE OF CLOSING OF THE PURCHASE OF THE SYSTEM BY BLACK CREEK.

The Resolution was considered and discussed, and thereupon on motion by Commissioner Hattan, seconded by Commissioner Bombardier, the Resolution was adopted by the following roll call vote:

Aye: Commissioner Bombardier, Hattan and Strecker.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 98-1218, and was directed to be signed by the Mayor and attested by the City Clerk.

PROPOSED PARTICIPATION IN SOUTH ACCESS ROAD INTERSECTION

APPROVED

Acting City Manager Caplan advised the commission that the City and County meet with KDOT regarding the construction of the South access road. Mr. Caplan advised that the KDOT representative advised that a proposal be sent to Secretary Dean Carlson for consideration. The total cost of the South access road would be approximately \$227,000, of which Mr. Blosser has committed \$30,000 and the County has stated they would pay fifteen percent or \$30,000 of the cost contingent upon the city matching that. Commissioner Bombardier moved to approve fifteen percent or \$30,000 of the cost. Commissioner Hattan seconded. Motion carried.

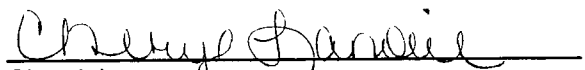
EXECUTIVE SESSION - NON-ELECTED PERSONNEL

At this time Commissioner Bombardier moved that the commission recess into executive session for thirty (30) minutes to discuss non-elected personnel. Commissioner Hattan seconded. Motion carried. Time: 5:00 p.m.

The commission reconvened at 5:25 p.m.

Mayor Bombardier 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 to June 22, 1998, at 6:30 p.m., to interview city manager applicant. Commissioner Hattan seconded. Motion carried.


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JUNE 22, 1998

PRESENT TO COUNCIL

The governing body met in adjourned session on June 22, 1998, at 6:30 p.m. at the Moose Lodge, Concordia, the following members being present and participating, to wit: Commissioners Hattan, Strecker and Bombardier.

Absent: None

Other Officers: Larry Remmenga, Assistant City Manager

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

Visitors: Mr. & Mrs. Jerry E. Pineau, Ruth Bombardier, Janice Hattan, Jana Strecker and Michelle Remmenga.

The Commission and visitors had dinner. The Commission returned to City Hall.

EXECUTIVE SESSION - NON-ELECTED PERSONNEL

At this time Commissioner Hattan moved that the Commission recess into executive session for sixty (60) minutes to discuss non-elected personnel. Commissioner Bombardier seconded. Motion carried. Time: 7:37 p.m.

The commission reconvened at 8:37.

At this time Commissioner Hattan moved that the commission recess into executive session for an additional thirty (30) minutes to discuss non-elected personnel. Commissioner Strecker seconded. Motion carried. Time: 8:37.

The commission reconvened at 9:07.

Mayor Bombardier 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, 1998, at 6:30 p.m. at the Country Club. Commissioner Strecker seconded. Motion carried.


Larry Remmenga
Assistant City Manager

(Seal)

8201, 55 5401 3.11

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JUNE 25, 1998

Recorded by: [illegible]

The governing body met in adjourned session on June 25, 1998, at 6:30 p.m. at the Country Club, Concordia, the following members being present and participating, to wit: Commissioners Hattan, Strecker and Bombardier.

Absent: None

Other Officers: Acting City Manager Rich Caplan

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

Visitors: Mr. & Mrs. Michael Daspit, Ruth Bombardier, Janice Hattan and Jana Strecker.

The Commission and visitors had dinner.

Commissioner Hattan moved to reconvene the meeting at City Hall at 7:50 p.m. Commissioner Strecker seconded. Motion carried.

Mayor Bombardier reconvened meeting at 7:50 p.m.

EXECUTIVE SESSION - NON-ELECTED PERSONNEL

At this time Commissioner Hattan moved that the Commission recess into executive session for sixty (60) minutes to discuss non-elected personnel. Commissioner Bombardier seconded. Motion carried. Time: 7:50 p.m.

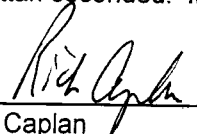
The commission reconvened at 8:50.

At this time Commissioner Bombardier moved that the commission recess into executive session for an additional thirty (30) minutes to discuss non-elected personnel. Commissioner Strecker seconded. Motion carried. Time: 8:50 p.m.

The commission reconvened at 9:20 p.m.

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

There being no further business, Commissioner Strecker moved to adjourn the meeting to June 26, 1998, at 6:30 p.m. at the Country Club. Commissioner Hattan seconded. Motion carried.



Rich Caplan
Acting City Manager

(Seal)

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JUNE 26, 1998

The governing body met in adjourned session on June 26, 1998, at 6:30 p.m. at the Country Club, Concordia, the following members being present and participating, to wit: Commissioners Hattan, Strecker and Bombardier.

Absent: None

Other Officers: Acting City Manager Rich Caplan

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

Visitors: Mr. & Mrs. Stanley Smith, Kirk & Janet Lowell, Ruth Bombardier, Janice Hattan and Jana Strecker.

The Commission and visitors had dinner.

Commissioner Hattan moved to reconvene the meeting at City Hall at 8:05 p.m. Commissioner Strecker seconded. Motion carried.

Mayor Bombardier reconvened meeting at 8:05 p.m.

EXECUTIVE SESSION - NON-ELECTED PERSONNEL

At this time Commissioner Hattan moved that the Commission recess into executive session for sixty (60) minutes to discuss non-elected personnel. Commissioner Bombardier seconded. Motion carried. Time: 8:05 p.m.

The commission reconvened at 9:05 p.m.

At this time Commissioner Bombardier moved that the commission recess into executive session for an additional sixty (60) minutes to discuss non-elected personnel. Commissioner Hattan seconded. Motion carried. Time: 9:18 p.m.

The commission reconvened at 10:15 p.m.

Mayor Bombardier 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 Strecker seconded. Motion carried.



Rich Caplan
Acting City Manager

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 1, 1998

The governing body met in regular session on July 1, 1998, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Strecker, Hattan and Bombardier.

Absent: None.

Other Officers: Acting City Manager Caplan, Acting City Attorney Uri and City Clerk Lanoue.

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

Visitors: Brad Lowell, Joe Jindra, Armand Balthazor, Burl Maley, Kirk Lowell, Larry Remmenga, Roger Hamilton, Sharon Jensen, Judith McKee, Chris Foster and Marsha Doyenne

Minutes of the June 17, 1998 regular meeting and June 22, 25 and 26, 1998 adjourned meetings were approved as written.

APPROPRIATION ORDINANCE NO. 12

APPROVED

Appropriation Ordinance No. 12 was approved according to law.

ORDINANCE NO. 98-2683(REZONING 830 W 11TH)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN SPECIFICALLY DESCRIBED PROPERTY IN THE CITY OF CONCORDIA, KANSAS; DEFINING THE CHANGES OR BOUNDARIES AS AMENDED; ORDERING THE OFFICIAL CITY ZONING DISTRICT MAP TO BE CHANGED TO REFLECT SUCH AMENDMENTS; AMENDING SECTION OF ARTICLE IV OF ZONING ORDINANCE FOR THE CITY OF CONCORDIA, KANSAS; AND RE-INCORPORATING THE OFFICIAL CITY ZONING DISTRICT MAP AS AMENDED.

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

Aye: Commissioners Hattan, Strecker and Bombardier.

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. 98-2683 and was signed by the Mayor and attested by the Clerk.

ORDINANCE NO. 98-2684(REZONING 1609 E 7TH)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN SPECIFICALLY DESCRIBED PROPERTY IN THE CITY OF CONCORDIA, KANSAS; DEFINING THE CHANGES OR BOUNDARIES AS AMENDED; ORDERING THE OFFICIAL CITY ZONING DISTRICT MAP TO BE CHANGED TO REFLECT SUCH AMENDMENTS; AMENDING SECTION 2 OF ARTICLE IV OF ZONING ORDINANCE FOR THE CITY OF CONCORDIA, KANSAS; AND RE-INCORPORATING THE OFFICIAL CITY ZONING DISTRICT MAP AS AMENDED.

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

Aye: Commissioners Hattan, Strecker and Bombardier.

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. 98-2684 and was signed by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 1, 1998 CONT.

ORDINANCE NO. 98-2685(CHANGING P.S.I. TO 200-WATER DEPT.)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE AMENDING SECTION 26-5A OF THE CONCORDIA CODE.

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

Aye: Commissioners Hattan, Strecker and Bombardier.

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. 98-2685 and was signed by the Mayor and attested by the Clerk.

INTRODUCTION OF NEW EMPLOYEES

Acting City Manager Caplan stated that on a monthly basis the city would be introducing new permanent employees to the City Commission.

Larry Remmgena, Director of Utilities, introduced Chris Foster, Operator I at the Waste Water Treatment Plant and Tom Fisher, Director of Streets, introduced Roger Hamilton, Municipal Service Worker.

QUITCLAIM DEED(KENNETH & CYNTHIA VIGNERY)

APPROVED

Acting City Manager Caplan advised that in 1982 the City had sold some land to the Vignerys and has never released the deed. Commissioner Hattan moved to authorize the Mayor and City Clerk to sign the Quitclaim Deed. Commissioner Strecker seconded. Motion carried.

CITY MANAGER COMMENTS

Acting City Manager Caplan advised that Burl Maley, Director of Public Safety would be updating the commission on the status of the Police Station and the ambulance.

Burl Maley, Director of Public Safety, advised that Campbell and Johnson would have the design plans on or about July 15, 1998. Mr. Maley stated that staff is currently reviewing the ambulance bids and would have a recommendation on the July 15, 1998 meeting.

MAYOR COMMENTS

Mayor Bombardier thanked Kirk Lowell and all of the volunteers for their efforts on the luncheon for the Governor. Mr. Lowell stated that the following people or business contributed in some way:

Larry Eubanks, Larry Blochlinger, KNCK, Blade-Empire, CHS Dance Team, Park Department, Tom's Music House, Rotary Club, Street Department, Police Department and Southwestern Bell, Kansas Gas and Utilicorp for the meal.

PUBLIC COMMENTS

Marsha Doyenne asked the Commission if the City was 2000 ready and advised that she had some information on this. Ms. Doyenne also stated that she would be happy to be a part of a task force for the City.

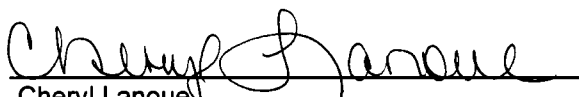
MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 1, 1998 CONT.**EXECUTIVE SESSION – ATTORNEY CLIENT PRIVILEGES**

At this time Commissioner Hattan moved that the Commission recess into executive session for forty -five (45) minutes to discuss attorney client privileges. Commissioner Strecker seconded. Motion carried. Time: 4:45 p.m.

The commission reconvened at 5:30 p.m.

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

There being no further business, Commissioner Bombardier moved to adjourn the meeting to July 1, 1998 at 6:30 p.m. , to the Country Club. Commissioner Hattan seconded. Motion carried.


Cheryl Lanoue
City Clerk

(Seal)



MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JULY 1, 1998

The governing body met in adjourned session on July 1, 1998, at 6:30 p.m. at the Country Club, Concordia, the following members being present and participating, to wit: Commissioners Hattan, Strecker and Bombardier.

Absent: None

Other Officers: Acting City Manager Rich Caplan

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

Visitors: Mr. & Mrs. Douglas Allen, Ruth Bombardier, Janice Hattan and Jana Strecker.

The Commission and visitors had dinner.

Commissioner Hattan moved to reconvene the meeting at City Hall at 7:50 p.m. Commissioner Strecker seconded. Motion carried.

Mayor Bombardier reconvened meeting at 7:50 p.m.

EXECUTIVE SESSION - NON-ELECTED PERSONNEL

At this time Commissioner Bombardier moved that the Commission recess into executive session for eighty (80) minutes to discuss non-elected personnel. Commissioner Hattan seconded. Motion carried. Time: 7:50 p.m.

The commission reconvened at 9:00 p.m.

At this time Commissioner Hattan moved that the commission recess into executive session for an additional twenty (20) minutes to discuss non-elected personnel. Commissioner Strecker seconded. Motion carried. Time: 9:00 p.m.

The commission reconvened at 9:15 p.m.

Mayor Bombardier 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 until 6:30 p.m., July 8, 1998 at Country Club. Commissioner Strecker seconded. Motion carried.



Rich Caplan
Acting City Manager

(Seal)

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JULY 8, 1998

The governing body met in adjourned session on July 8, 1998, at 6:30 p.m. at the Country Club, Concordia, the following members being present and participating, to wit: Commissioners Hattan, Strecker and Bombardier.

Absent: None

Other Officers: Acting City Manager Rich Caplan

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

Visitors: Mr. & Mrs. Richard Blecker, Ruth Bombardier, Janice Hattan and Jana Strecker.

The Commission and visitors had dinner.

Commissioner Hattan moved to reconvene the meeting at City Hall at 7:50 p.m. Commissioner Bombardier seconded. Motion carried.

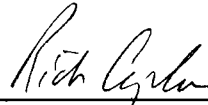
Mayor Bombardier reconvened meeting at 7:50 p.m.

EXECUTIVE SESSION - NON-ELECTED PERSONNEL

At this time Commissioner Bombardier moved that the Commission recess into executive session for one hour and forty minutes to discuss non-elected personnel. Commissioner Hattan seconded. Motion carried. Time: 7:50 p.m.

The commission reconvened at 9:30 p.m.

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



Rich Caplan
Acting City Manager

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 15, 1998

The governing body met in regular session on July 15, 1998, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Strecker, Hattan and Bombardier.

Absent: None.

Other Officers: Acting City Manager Caplan, Acting City Attorney Uri and City Clerk Lanoue.

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

Visitors: Brad Lowell, Joe Jindra, Armand Balthazor, Burl Maley, Kirk Lowell, Larry Remmenga, Judith McKee, Robert Burns, Tom Fisher, Marie Dale and Eric Johnson.

Minutes of the July 1, 1998 regular meeting and July 1, and 8, 1998 adjourned meetings were approved as written.

APPROPRIATION ORDINANCE NO. 13

APPROVED

Appropriation Ordinance No. 13 was approved according to law.

SECOND QUARTER INVESTMENT REPORT

ORDERED PLACE ON FILE

Acting City Manager Caplan presented the second quarter investment report for 1998 per Ordinance No. 1860. Total interest received for the second quarter of 1998 was \$9,548.42 compared to \$9,298.05 for 1997. Commissioner Hattan moved to place the second quarter investment report on file. Commissioner Bombardier seconded. Motion carried.

ADDENDUM TO F & A DEVELOPMENT AGREEMENT

APPROVED

Acting City Manager Caplan advised the commission that the addendum to the F & A Development Agreement states that F & A shall pay a maximum of \$12,000 as a cash contribution for any improvement constituting any part of the Utility Project. Commissioner Hattan moved to authorize the Mayor to sign the addendum to the development agreement. Commissioner Strecker seconded. Motion carried.

SALE OF LAND - JULIE STREET

APPROVED

Acting City Manager Caplan advised the commission that the city received two (2) bids on the tract of land on Julie Street as follows:

SALE OF LAND CITY OF CONCORDIA BID TABULATION

OPENING DATE: July 6, 1998
TIME: 4:00P.M.

BIDDER	TRACT A	BID PRICE
Dilip Patel		425.00
	TRACT B	
Dilip Patel		1551.60
Ghanshyam Patel		1251.00

Acting City Manager Caplan stated that the recommendation was to sell the property with maintaining existing utility easement. Commissioner Hattan moved to accept the bid on both Tract A & B to Dilip Patel in the amount of \$425 and \$1551.60 respectively. Commissioner Bombardier seconded. Motion carried.

RESOLUTION NO. 98-1219(AUTHORIZING SALE OF REVENUE BONDS)

PASSED

The matter of providing for the offering for sale of \$785,000 principal amount of Water and Sewer Utility System Revenue Bonds, Series 1998, came on for consideration and was discussed.

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

A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF WATER AND SEWER UTILITY SYSTEM REVENUE BONDS, SERIES 1998, OF THE CITY OF CONCORDIA, KANSAS

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 15, 1998, CONT.

Commissioner Bombardier 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 Bombardier, Hattan and Strecker.

Nay: None.

The Mayor declared the Resolution duly adopted; the Clerk designating the same Resolution No. 98-1219.

AMBULANCE BID(MIDWEST VEHICLE PROFESSIONALS, INC.)**APPROVED**

Acting City Manager presented the bid that the City received on the ambulance as follows:

**CITY OF CONCORDIA TABULATION SHEET
FIRE/EMS DEPARTMENT**

DATE: 6-19-98

TIME: 12:00 NOON

<u>BIDDER</u>	<u>VEHICLE</u>	<u>PRICE</u>
Wheeled Coach Industries	1999 Ford E-450XL Type III Ambulance	Base Price \$63,821.00
		Options <u>17,530.00</u>
		Total \$81,351.00
Kan-OK Apparatus, Inc.	#11998 Osage Superwarrior	Base Price \$78,485.00
		Options <u>4,585.00</u>
		Total \$83,070.00
	#21998 Marque 1640 DLX	Base Price \$77,725.00
		Options <u>4,585.00</u>
		Total \$82,310.00
Midwest Vehicle Professionals, Inc.	1998 Ford 7.3 Power Stroke Diesel E Super Duty Type III Medtec Apollo Standard Features	Base Price \$84,684.00
		Options <u>-</u>
		Total \$84,684.00

Burl Maley, Director of Public Safety, advised that after staff review and random checks with references, the recommendation would be Midwest Vehicle Professionals for a Medtec Apollo for \$84,684.00. Following discussion, Commissioner Strecker moved to accept the bid from Midwest Vehicle Professionals, Inc. for 1998 Medtec Apollo for \$84,684.00. Commissioner Bombardier seconded. Motion Carried.

EXECUTIVE SESSION – NON-ELECTED PERSONNEL

At this time Commissioner Bombardier moved that the Commission recess into executive session for fifteen (15) minutes to discuss non-elected personnel. Commissioner Hattan seconded. Motion carried. Time: 4:45 p.m.

The commission reconvened at 5:00 p.m.

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

Commissioner Hattan moved to recess an additional five (5) minutes to continue the discussion of non-elected personnel. Commissioner Bombardier seconded. Motion carried.

The commission reconvened at 5:05 p.m.

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

There being no further business, Commissioner Strecker moved to adjourn the meeting to July 22, 1998 at 6:30 p.m. at City Hall. Commissioner Hattan seconded. Motion carried.

Cheryl Lanoue
Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JULY 22, 1998

The governing body met in adjourned session on July 22, 1998, 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, Strecker and Bombardier.

Absent: None.

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

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

Visitors: Kirk Lowell, Armand Balthazor, Judith McKee, Tom Fisher, Burl Maley, Eric Johnson, Larry Remmenga and Ken Campbell.

EXECUTIVE SESSION NON-ELECTED PERSONNEL

At this time Commissioner Bombardier moved that the commission recess into executive session for fifteen (15) minutes to discuss non-elected personnel. Commissioner Hattan seconded. Motion carried. Time: 6:35 p.m.

The commission reconvened at 6:50 p.m.

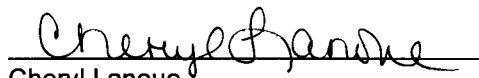
At this time Commissioner Hattan moved that the commission recess into executive session for an additional five (5) minutes to discuss non-elected personnel. Commissioner Bombardier seconded. Motion carried. Time: 6:50 p.m.

The commission reconvened at 6:55 p.m.

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

Mayor Bombardier moved that the commission have a special call meeting on July 24, 1998, at 8:00 a.m. at the City Commission Room, in the City Hall. Commissioner Hattan seconded. Motion carried.

Commissioner Bombardier moved to adjourn the meeting to a study session. Commissioner Strecker seconded. Motion carried.


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE SPECIAL CITY COMMISSION MEETING HELD JULY 24, 1998

The governing body met in special session on July 24, 1998, at 8:05 a.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Strecker and Bombardier.

Absent: None.

Other Officers: City Clerk Lanoue.

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

Visitors: Brad Lowell, Joe Jindra, Kirk and Janet Lowell, Armand Balthazor, Tom Fisher, Larry Remmenga, D.L. "Heavy" Layton, Dennis Blochlinger, Jim Stromberg, Ted Kalthoff, Ruth Bombardier and Irene Brown.

**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 24, 1998

Time: 8:00 o'clock a.m.

The object of said meeting will be as follows:

1. Call to order.
2. City Manager Selection.
3. Adjourn

DATED this 23rd day of July, 1998.

/s/ Gregory L. Hattan
Gregory L. Hattan, Commissioner

/s/ Isadore Bombardier
Isadore Bombardier, Mayor

/s/ Joe Strecker
Joe Strecker, Commissioner

MINUTES OF THE SPECIAL CITY COMMISSION MEETING HELD JULY 24, 1998, CONT.

**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 8:00 o'clock a.m., on July 24, 1998, for the following purpose:

City Manager Selection.

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

Dated this 23rd day of July, 1998.

/s/ Gregory L. Hattan
Gregory L. Hattan

/s/ Isadore Bombardier
Isadore Bombardier

/s/ Joe Strecker
Joe Strecker

SELECTION OF CITY MANAGER

STANLEY SMITH

Commissioner Hattan moved to authorize Mayor to sign a contract with Stanley Smith. Commissioner Strecker seconded. Motion carried.

Mayor Bombardier announced that Stan Smith would be the City of Concordia's new City Manager. Mr. Smith would assume his position on September 14, 1998.

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

Cheryl Lanoue
Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 5, 1998

The governing body met in regular session on August 5, 1998, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Bombardier, Hattan and Strecker.

Absent: None.

Other Officers: Acting City Manager Caplan, Acting City Attorney Uri and City Clerk Lanoue.

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

Visitors: Kirk Lowell, Armand Balthazor, Tom Fisher, Burl Maley, Larry Remmenga, Ric Fredrickson, Geary E. Fredrickson, Jim Nachtegal, Ed Pick, Beldon Blosser, Wesley Howe, Jim Conn, Debra Peters, Marie Dale, John Benson, Kent Buer, Gary Padgett, Dusty Moh, Chuck Bouly, Brad Lowell, Brian Strait and Stan Martin.

Minutes of the July 15, 1998 regular meeting, July 22, 1998 adjourned meeting and July 24, 1998 special call meeting were approved as written.

APPROPRIATION ORDINANCE NO. 14

APPROVED

Appropriation Ordinance No. 14 was approved according to law.

INTRODUCTION OF NEW EMPLOYEES

Burl Maley, Director of Public Safety, introduced Ric Fredrickson, Police Officer and Tom Fisher, Director of Streets, introduced Wesley Howe, Municipal Service Worker.

BOND PURCHASE AGREEMENT(GEORGE K. BAUM & COMPANY)

APPROVED

Chuck Bouly, with George K. Baum & Company, advised the commission that this Bond Purchase Agreement would allow George K. Baum & Company to buy the Revenue Bonds and sell them at market. Commissioner Hattan moved to authorize the Mayor and City Clerk to sign the Bond Purchase Agreement between The City of Concordia, Kansas and George K. Baum & Company, Wichita, Kansas. Commissioner Strecker second. Motion carried.

ORDINANCE NO. 98-2686(UTILITY REVENUE BONDS)

PASSED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$785,000 PRINCIPAL AMOUNT OF WATER AND SEWER UTILITY SYSTEM REVENUE BONDS, SERIES 1998, OF THE CITY OF CONCORDIA, KANSAS, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY A PORTION OF THE COSTS OF ACQUIRING CONSTRUCTING, RECONSTRUCTING, ALTERING, REPAIRING, IMPROVING, EXTENDING OR ENLARGING THE WATER AND SEWER UTILITY SYSTEM OF THE CITY; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.

Thereupon, Commissioner Hattan moved that said Ordinance be passed. The motion was seconded by Commissioner Bombardier. 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: Commissioner Bombardier, Hattan and Strecker.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 98-2686 and was signed by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 5, 1998, CONT.

RESOLUTION NO. 98-1220(UTILITY REVENUE BONDS)

PASSED

Thereupon, there was a Resolution entitled:

A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF THE AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF \$785,000 PRINCIPAL AMOUNT OF WATER AND SEWER UTILITY SYSTEM REVENUE BONDS, SERIES 1998, OF THE CITY OF CONCORDIA, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 98-2686 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 Hattan moved that said Resolution be adopted. The motion was seconded by Commissioner Strecker. 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 Bombardier, Hattan and Strecker.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 98-1220 and was signed by the Mayor and attested by the clerk.

REVOLVING LOAN

PUBLIC HEARING(JIMMY D AND DEANNA CONN)

HELD AND APPROVED

Mayor Bombardier opened the Public Hearing for Jimmy D and Deanna Conn. Kirk Lowell, Director of Cloud Crop, advised the commission on July 16, 1998 the Cloud Crop Finance Committee voted unanimously to present this application, with a positive recommendation for approval for the City Commission for their consideration. The principal amount would be \$20,200 and will create 1.5 full-time equivalent jobs that are 100% low to moderate income benefit. Mr. Lowell stated that currently Conn's have a Revolving Loan in the amount of \$58,750 with an eleven (11) year term and 3.00% interest rate. Mr. Lowell stated that the Conn's JCPenny Catalog Store project has a total cost of \$22,500, which are as follows:

- Start-up and working capital - \$10,200
- Fixtures - \$10,000
- Building remodeling(materials only) - \$2,300

Mr. Lowell stated that the loan of \$20,200 will have a seven (7) year term, 6.5% fixed interest rate, with six (6) months of interest only payments and seventy-eight (78) monthly principal and interest payments. Mr. Lowell advised that the Revolving Loan take a first position in all business assets of Jim and Deanna Conn, d/b/a/ JCPenny Catalog Store, a second position in personal assets 1989 Thundercraft boat/motor/trailer and \$20,200 mortgage on rental mobile home and lot, and a third position on all business assets of Conn's TV & Appliance.

Mr. Lowell advised that the committee is recommending the following loan covenants and documentation requirements:

- Prior to CRLF loan closing, Jim is to provide the CRLF a letter from JC Penny's stating "the competing Non-JCPenny merchandise clause contained in the catalog merchandise agreement on page 13, item 6.2 is not applicable. The only merchandise Conn's TV & Appliance is prohibited from carrying is Frigidaire microwaves and Eureka vacuums."
- Annual compensation of owners shall be limited to \$18,500 per year, plus the amount necessary to cover personal, federal and state income tax and social security; subject to modification as agreed to by the City of Concordia.
- Borrower agrees not to incur any additional debt or other obligation, without prior written consent of the City of Concordia.
- Fixed asset purchases in excess of \$1,000 shall require prior approval of the City of Concordia.
- Last disbursement of loan funds no later than October 1, 1999.

Mr. Lowell advised that the City Manager needs to send a formal letter concerning Conn's CRLF loan to Debra Peters, informing her that the Conn's loan was formally approved.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 5, 1998, CONT.

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

Commissioner Hattan moved to approve the Revolving Loan Fund Application to Jimmy D. and Deanna Conn. Commissioner Strecker seconded. Motion carried.

EASEMENT FROM BELDON & MARILYN BLOSSER ACCEPTED

Kirk Lowell, Director of CloudCorp, advised that Beldon and Marilyn Blosser would be giving the City easement for reconstruction, maintenance, repair, removal, relocation or enlargement of all city or franchise streets, curbs, gutters, storm or sewer drainage lines, utility lines, cables, pipelines, electric lines and all utility appurtenances on certain Tracts of Easement. Commissioner Hattan moved to accept the easement from Beldon and Marilyn Blosser. Commissioner Bombardier seconded. Motion carried.

PETITION ON SS-98-BLOSSER&PAWNEE ACCEPTED

Kirk Lowell, Director of CloudCorp, presented to the commission a petition for the construction of a sewer main collector line from alley between 19th and 20th streets along east side Lot 4, Block 7, south 425 feet; thence west parallel to 21st Street, 310 feet. Acting City Manager Caplan advised that the President of Pawnee and Beldon & Marilyn Blosser have both signed the petition and that the petition is 100% sufficient. Commissioner Hattan moved to accept the petition. Commissioner Strecker seconded. Motion carried.

TOTAL ESTIMATED COST(BLOSSER&PAWNEE SANITARY SEWER) APPROVED

The following was the total estimated cost on the sanitary sewer for Blosser & Pawnee presented to the commission:

Construction	\$40,585.00
Engineering, Inspection and Contingencies	<u>6,918.50</u>
Total	\$47,503.50

Commissioner Hattan moved to approved Total Estimated Cost of \$47,503.50. Commissioner Bombardier seconded. Motion carried.

RESOLUTION NO. 98-1221(AUTHORIZING SS-98-BLOSSER&PAWNEE) PASSED

Thereupon, and among other business there was presented to the governing body a Petition which has been filed in the Office of the City Clerk requesting the making of certain internal improvements in the City pursuant to the authority of K.S.A. 12-6a01 et seq.

Thereupon, there was a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF A CERTAIN INTERNAL IMPROVEMENT IN THE CITY OF CONCORDIA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENT IN ACCORDANCE WITH SUCH FINDINGS (MAIN SEWER COLLECTOR/PMHEA AND BLOSSER).

The Resolution was considered and discussed; and thereupon on motion of Commissioner Hattan, seconded by Commissioner Strecker, the Resolution was adopted by the following roll call vote:

Aye: Commissioner Bombardier, Hattan and Strecker.

Nay: None.

Thereupon, the Resolution having been adopted by majority vote of the governing body, it was given No. 98-1221; was directed to be signed by the Mayor and attested by the City Clerk; and the City Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Cloud County, Kansas all as required by law.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 5, 1998, CONT.

PETITION ON SS-98-BONEBRAKE

ACCEPTED

Kirk Lowell, Director of CloudCorp presented to the commission a petition for the construction approximately 110 linear feet of sanitary sewer lateral line from the main collector line to serve the property. Commissioner Bombardier moved to accept the petition. Commissioner Strecker seconded. Motion carried.

TOTAL ESTIMATED COST(BONEBRAKE SANITARY SEWER)

APPROVED

The following was the total estimated cost on the sanitary sewer for Bonebrake property presented to the commission:

Construction	\$ 10,360.00
Engineering, Inspection and Contingencies	1,531.00
Costs of Issuance relating to financing	400.00
Interest on temporary financing	<u>1,950.00</u>
Total	\$ 14,241.00

Commissioner Hattan moved to approved Total Estimated Cost of \$14,241. Commissioner Strecker seconded. Motion carried.

RESOLUTION NO. 98-1222(AUTHORIZING SS-98-BONEBRAKE)

PASSED

Thereupon, and among other business, there was presented to the City Commission a Petition that has been filed in the Office of the City Clerk requesting the making of certain internal improvements in the City pursuant to the authority of K.S.A. 12-6a01 et seq.

Thereupon, there was a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF A CERTAIN INTERNAL IMPROVEMENT IN THE CITY OF CONCORDIA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENT IN ACCORDANCE WITH SUCH FINDINGS (LATERAL SANITARY SEWER IMPROVEMENT/SOUTH OF 20TH STREET AND WASHINGTON STREET).

The Resolution was considered and discussed; and thereupon on motion of Commissioner Hattan, seconded by Commissioner Strecker, the Resolution was adopted by the following roll call vote:

Aye: Commissioner Bombardier, Hattan and Strecker.

Nay: None.

Thereupon, the Resolution having been adopted by majority vote of the City Commission, it was given No. 98-1222; was directed to be signed by the Mayor and attested by the City Clerk; and the City Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Cloud County, Kansas, all as required by law.

PETITION ON ST-98-21ST STREET

ACCEPTED

Kirk Lowell, Director of CloudCorp presented to the commission a petition to construct, pave and curb and gutter approximately 470 linear feet of 21st Street from State Street to Washington Street. Commissioner Hattan moved to accept the petition. Commissioner Strecker seconded. Motion carried.

TOTAL ESTIMATED COST(21ST STREET)

APPROVED

The following was the total estimated cost on 21st Street for Blosser & Pawnee presented to the commission:

Construction	\$70,012.50
Engineering, Inspection and Contg.	11,001.00
Costs of Issuance relating to financing	2,430.41

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 5, 1998, CONT.

Interest on temporary financing	<u>4,175.00</u>
Total	\$87,618.91

Commissioner Hattan moved to approve the total estimated cost on ST-98-21ST STREET. Commissioner Bombardier seconded. Motion carried.

RESOLUTION NO. 98-1223(AUTHORIZING ST-98-21ST STREET) PASSED

Thereupon, and among other business, there was presented to the City Commission a Petition that has been filed in the Office of the City Clerk requesting the making of certain internal improvements in the City pursuant to the authority of K.S.A. 12-6a01 et seq.

Thereupon, there was a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF A CERTAIN INTERNAL IMPROVEMENT IN THE CITY OF CONCORDIA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENT IN ACCORDANCE WITH SUCH FINDINGS (STREET IMPROVEMENT/21ST STREET).

The Resolution was considered and discussed; and thereupon on motion of Commissioner Hattan, seconded by Commissioner Bombardier, the Resolution was adopted by the following roll call vote:

Yes: Commissioner Bombardier, Hattan and Strecker.

No: None.

Thereupon, the Resolution having been adopted by majority vote of the City Commission, it was given No. 98-1223; was directed to be signed by the Mayor and attested by the City Clerk; and the City Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Cloud County, Kansas, all as required by law.

RESOLUTION NO. 98-1224
(AUTHORIZING POLICE DEPARTMENT IMPROVEMENTS) PASSED

Thereupon, there was a Resolution entitled:

A RESOLUTION AUTHORIZING AND PROVIDING FOR IMPROVEMENTS TO AN EXISTING BUILDING FOR CONVERSION FOR USE AS A POLICE DEPARTMENT HEADQUARTERS AND THE EQUIPPING THEREOF, A PUBLIC BUILDING IN THE CITY OF CONCORDIA, KANSAS; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.

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

Aye: Commissioner Bombardier, Hattan and Strecker.

Nay: None.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 98-1224 and was signed by the Mayor and attested by the City Clerk.

WARRANTY DEED(JULIE STREET DILAP PATEL) AUTHORIZED

Acting City Manager Caplan advised the commission to accept Mr. Patel's bid on the July 15, 1998 meeting for \$425 and \$1551.60 for Tract A and B, respectively. Mr. Caplan advised that Mr. Patel would be responsible for the title work and Registration of the Deed. Commissioner Hattan moved to authorize the mayor to sign the Warranty Deed. Commissioner Strecker seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 5, 1998, CONT.RESOLUTION NO. 98-1225(236 W2ND)NUISANCE ABATEMENT

Mayor Bombardier 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 a nuisance exists at the following location:

1. 235 W 2nd - Resolution No. 98-1225

Acting City Manager Caplan 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. 98-1225 with ten (10) days. Motion carried.

RESOLUTION NO. 98-1226(412 W 12th)NUISANCE ABATEMENT

Mayor Bombardier 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 a nuisance exists at the following location:

1. 412 W 12th - Resolution No. 98-1226

Acting City Manager Caplan advised the Commission of the property.

No one was present to represent the property owner.

Commissioner Hattan moved and seconded by Commissioner Strecker to approve Resolution No. 98-1226 with ten (10) days. Motion carried.

RESOLUTION NO. 98-1227(219 W 3RD)NUISANCE ABATEMENT

Mayor Bombardier 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 a nuisance exists at the following location:

1. 219 W 3rd - Resolution No. 98-1227

Acting City Manager Caplan advised the Commission of the property.

No one was present to represent the property owner.

Commissioner Hattan moved and seconded by Commissioner Strecker to approve Resolution No. 98-1227 with ten (10) days. Motion carried.

ORDINANCE NO. 98-2687(ANNEXATION OF SUNSET TRACTS)PASSED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF CONCORDIA, KANSAS.

Thereupon, Commissioner Hattan moved that said Ordinance be passed. The motion was seconded by Commissioner Strecker. 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: Commissioner Bombardier, Hattan and Strecker.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 98-2687 and was signed by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 5, 1998, CONT.**ORDINANCE NO. 98-2688(REZONING OF SUNSET TRACTS)****PASSED**

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN SPECIFICALLY DESCRIBED PROPERTY IN THE CITY OF CONCORDIA, KANSAS; DEFINING THE CHANGES OR BOUNDARIES AS AMENDED; ORDERING THE OFFICIAL CITY ZONING DISTRICT MAP TO BE CHANGED TO REFLECT SUCH AMENDMENTS; AMENDING SECTION 2 OF ARTICLE IV OF THE ZONING ORDINANCE FOR THE CITY OF CONCORDIA, KANSAS; AND RE-INCORPORATING THE OFFICIAL CITY ZONING DISTRICT MAP AS AMENDED.

Thereupon, Commissioner Hattan moved that said Ordinance be passed. The motion was seconded by Commissioner Strecker. 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: Commissioner Bombardier, Hattan and Strecker.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 98-2688 and was signed by the Mayor and attested by the Clerk.

ORDINANCE NO. 98-2689(ANNEXATION OF BLOSSER TRACT)**PASSED**

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF CONCORDIA, KANSAS.

Thereupon, Commissioner Strecker moved that said Ordinance be passed. The motion was seconded by Commissioner Bombardier. 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: Commissioner Bombardier, Hattan and Strecker.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 98-2689 and was signed by the Mayor and attested by the Clerk.

PUBLIC WORKS TRUCK BID**BABE HOUSER MOTOR**

Acting City Manager Caplan advised the commission that the City accepted bids on a truck for the Public Works department as follows:

**TABULATION SHEET
STREET DEPARTMENT**

**DATE: 7-15-98
NOON: 2:00 P.M.**

<u>BIDDER</u>	<u>VEHICLE</u>	<u>PRICE</u>
Babe Houser Motor Co.	1999 1/2 Ton Chevrolet (Per Specifications)	\$16,998.00
	Less Trade-in 1986 1/2Ton Ford -	<u>1,000.00</u>
	TOTAL COST TO CITY	\$15,998.00
	COST WITHOUT TRADE-IN	\$16,998.00

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 5, 1998, CONT.

Following discussion, Commissioner Hattan moved to accept the low bid without trade-in for \$16,998.00. Commissioner Strecker seconded. Motion carried.

VOTING DELEGATES TO 1998 LEAGUE CONFERENCEMAYOR AND CITY MANGER

Commissioner Hattan moved to appoint Mayor Bombardier, as voting delegate to the 1998 League Conference and Stan Smith, City Manager, as alternate voting delegate. Commissioner Strecker seconded. Motion carried.

SCOPE OF SERVICE - COMPREHENSIVE PLANAUTHORIZED

John Benson, Bucher, Willis & Ratliff Corporation, advised that the Comprehensive Plan had three (3) phases as follows:

- Comprehensive Plan Update
- Annexation Plan Element and Capital Improvement Program
- Updated Land Use Regulations

Following discussion, Commissioner Hattan moved to authorize the Mayor and City Clerk to sign the Agreement for Planning Services with Bucher, Willis & Ratliff Corporation. Commissioner Strecker seconded. Motion carried.

EXECUTIVE SESSION - ATTORNEY CLIENT PRIVILEGES

At this time Commissioner Hattan moved that the Commission recess into executive session for forty-five (45) minutes to discuss attorney client privileges. Commissioner Strecker seconded. Motion carried. Time: 5:15 p.m.

The commission reconvened at 6:00 p.m.

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

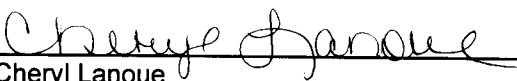
Commissioner Hattan moved to recess an additional thirty (30) minutes to continue the discussion of attorney client privileges. Commissioner Bombardier seconded. Motion carried.

The commission reconvened at 6:25 p.m.

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

Mayor Bombardier announced that there would not be a study session on August 12, 1998.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 19, 1998

The governing body met in regular session on August 19, 1998, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Bombardier, Hattan and Strecker.

Absent: None.

Other Officers: Acting City Manager Caplan, Acting City Attorney Uri and City Clerk Lanoue.

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

Visitors: Kirk Lowell, Armand Balthazor, Tom Fisher, Burl Maley, Larry Remmenga, Marie Dale, Brad Lowell, Judith McKee and Joe Jindra.

Minutes of the August 5, 1998 regular meeting was approved as written.

APPROPRIATION ORDINANCE NO. 15 **APPROVED**

Appropriation Ordinance No. 15 was approved according to law.

HEARING ON 1999 CITY BUDGET **HELD**

Mayor Bombardier opened the 1999 Budget Hearing as required by state statute.

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

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

ORDINANCE NO. 98-2690(1999 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, 1999, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS.

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

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. 98-2690 and was signed by the Mayor and attested by the clerk.

RESOLUTION NO. 98-1228(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 Hattan moved that said Resolution be adopted. The motion was seconded by Commissioner Strecker. 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, Hattan and Strecker.

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

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 19, 1998, CONT.

and the Resolution was then duly numbered Resolution No. 98-1228 and was signed by the Mayor and attested by the clerk.

RESOLUTION NO. 98-1229(NON-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 Hattan moved that said Resolution be adopted. The motion was seconded by Commissioner Strecker. 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, Hattan and Strecker.

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. 98-1229 and was signed by the Mayor and attested by the clerk.

ORDINANCE NO. 98-2691(RURAL WATER RATES)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE SETTING AND DETERMINING WATER RATES TO BE CHARGED BY THE CITY OF CONCORDIA, KANSAS, TO RURAL WATER DISTRICT NO. 1, CLOUD COUNTY, KANSAS.

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

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. 98-2691 and was signed by the Mayor and attested by the clerk.

ORDINANCE NO. 98-2692(CITY WATER RATES)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE SETTING RATES FOR CONSUMPTION OF WATER FROM THE WATER SUPPLY OF THE CITY OF CONCORDIA, KANSAS, WITHIN SAID CITY'S CORPORATE LIMITS; REPEALING SUBSECTION (A) OF CONCORDIA CODE SECTION 26-47; AND AMENDING THE CONCORDIA CODE, BY ADDING A SUBSECTION, TO BE IDENTIFIED AS (A), TO SECTION 26-47.

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

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. 98-2692 and was signed by the Mayor and attested by the clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 19, 1998, CONT.

ORDINANCE NO. 98-2693(BUILDING PERMITS)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE IMPOSING FEES FOR THE ISSUANCE OF BUILDING PERMITS BY THE CITY OF CONCORDIA, KANSAS; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SUBSECTION (2)H TO SECTION 27-13.

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

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. 98-2693 and was signed by the Mayor and attested by the clerk.

ORDINANCE NO. 98-2694(GRAVE SPACES)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE SETTING PRICES FOR GRAVE SPACES IN PLEASANT HILL CEMETERY IN THE CITY OF CONCORDIA; REPEALING OF CONCORDIA CODE SECTION 8-22; AND AMENDING THE CONCORDIA CODE BY ADDING NEW SECTION 8-22.

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

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. 98-2694 and was signed by the Mayor and attested by the clerk.

ORDINANCE NO. 98-2695(DOG LICENSES)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE PERTAINING TO AND INCREASING CERTAIN LICENSE FEES FOR DOGS OWNED, KEPT OR HARBORED WITHIN THE CITY LIMITS OF THE CITY OF CONCORDIA, KANSAS, AMENDING SUBSECTIONS (D), (F) AND (G) OF SECTION 5-49 OF THE CONCORDIA CODE, AND REPEALING THE EXISTING SUBSECTION.

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

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. 98-2695 and was signed by the Mayor and attested by the clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 19, 1998, CONT.**ORDINANCE NO. 98-2696(INTERMENT & DISINTERMENT FEES)****PASSED**

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE SETTING FEES FOR INTERMENTS AND DISINTERMENTS MADE IN PLEASANT HILL CEMETERY IN THE CITY OF CONCORDIA, KANSAS; REPEALING SUBSECTIONS (1), (2), (3), (4), (5) AND (6) OF CONCORDIA CODE, BY ADDING NEW SUBSECTION (1), (2), (3), (4), (5) AND (6) OF CONCORDIA CODE SECTION 8-24.

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

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. 98-2696 and was signed by the Mayor and attested by the clerk.

ORDINANCE NO. 98-2697(LICENSE TAX)**PASSED**

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE INCREASING THE LICENSE TAX LEVIED BY THE CITY OF CONCORDIA, KANSAS, UPON CERTAIN OCCUPATIONS; REPEALING CONCORDIA CODE SECTIONS 14-45, 14-47 AND 14-55; AND AMENDING THE CONCORDIA CODE, BY ADDING NEW SECTIONS 14-45, 14-47 AND 14-55.

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

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. 98-2697 and was signed by the Mayor and attested by the clerk.

ORDINANCE NO. 98-2698(ELECTRICAL CONTRACTORS)**PASSED**

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE INCREASING THE LICENSE FEE FOR ELECTRICAL CONTRACTORS; REPEALING SUBSECTION (5) OF CONCORDIA CODE SECTION 7-56 AND CONCORDIA CODE SECTION 7-56.1; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SUBSECTION (5) OF CONCORDIA CODE SECTION 7-56 AND A NEW CONCORDIA CODE SECTION 7-56.1

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

Nay: None.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 19, 1998, CONT.

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. 98-2698 and was signed by the Mayor and attested by the clerk.

ORDINANCE NO. 98-2699(AMBULANCE SERVICE)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE INCREASING PATIENT TRANSPORTATION FEES, MILEAGE CHARGES, OXYGEN SERVICE FEES AND SUPPLY FEES FOR AMBULANCE SERVICE PROVIDED BY THE CITY OF CONCORDIA, KANSAS; REPEALING SUBSECTION (C) OF CONCORDIA CODE SECTION 2-8, AND CONCORDIA CODE SECTION 2-9; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SUBSECTION (C) OF CONCORDIA CODE SECTION 2-8, A NEW CONCORDIA CODE SECTION 2-9, AND A NEW CONCORDIA CODE SECTION 2-10.

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

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. 98-2699 and was signed by the Mayor and attested by the clerk.

ORDINANCE NO. 98-2700(TRASH COLLECTION & REMOVAL FEE)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE INCREASING PERMIT FEES FOR A LICENSE TO COLLECT OR REMOVE TRASH WITHIN THE CITY OF CONCORDIA, KANSAS REPEALING CONCORDIA CODE SECTION 11 1/2-19; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW CONCORDIA CODE SECTION 11 1/2 -19.

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

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. 98-2700 and was signed by the Mayor and attested by the clerk.

ORDINANCE NO. 98-2701(ZONING FILING FEES)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE INCREASING FILING FEES FOR APPLICATIONS FOR CHANGE OF ZONING CLASSIFICATION; REPEALING SECTION 3 OF ARTICLE XXVII OF THE ZONING ORDINANCE OF THE CITY OF CONCORDIA AS INCORPORATED BY CONCORDIA CODE SECTION 27-1; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 3 OF ARTICLE XXVII OF THE ZONING ORDINANCE OF THE CITY OF CONCORDIA AS INCORPORATED BY CONCORDIA CODE SECTION 27-1.

Thereupon, Commissioner Hattan moved that said Ordinance be adopted. The motion was seconded by Commissioner Strecker. 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:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 19, 1998, CONT.

Aye: Commissioner Hattan, Bombardier and Strecker

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. 98-2701 and was signed by the Mayor and attested by the clerk.

ORDINANCE NO. 98-2702(BLOSSER ANNEXATION) PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF CONCORDIA, KANSAS; AND PROVIDING THE DETAILS THEREOF.

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

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. 98-2702 and was signed by the Mayor and attested by the clerk.

RESIGNATION OF JAY LOWELL - RECREATION COMMISSION ACCEPTED

Commissioner Hattan moved to accept Jay Lowell's resignation from the Recreation Commission. Commissioner Bombardier seconded. Motion carried.

CURB & GUTTER PETITION(JACK&ARLEYNE KAUFMAN, JAMES&THERESA PELTIER, HERBERT&MARCINE JOHNSON AND FRANK CARLSON LIBRARY ACCEPTED

Acting City Manager Caplan advised the commission that Jack & Arleyne Kaufman, James & Theresa Peltier, Herbert & Marcine Johnson and Frank Carlson Library have petitioned the city for the replacement of curb & gutter. Commissioner Hattan moved to accept the petitions from the following:

- Jack & Arleyne Kaufman
- James & Theresa Peltier
- Herbert & Marcine Johnson
- Frank Carlson Library

Commissioner Strecker seconded. Motion carried.

ENGINEER ESTIMATES(JACK&ARLEYNE KAUFMAN, JAMES&THERESA PELTIER, HERBERT&MARCINE JOHNSON AND FRANK CARLSON LIBRARY APPROVED

Commissioner Hattan moved to approve the following engineer estimates:

- Jack & Arleyne Kaufman 515 W 5th \$6,795.60
- James & Theresa Peltier 214 E 5th \$2,510.76
- Herbert & Marcine Johnson 117 W 10th \$4,473.00
- Frank Carlson Library 702 Broadway \$7,600.01

Commissioner Bombardier seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 19, 1998, CONT.

RESOLUTION NO. 98-1230(CG-98-KAUFMAN)

PASSED

Thereupon there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF A CERTAIN INTERNAL IMPROVEMENT IN THE CITY OF CONCORDIA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENT IN ACCORDANCE WITH SUCH FINDINGS.

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

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. 98-1230 and was signed by the Mayor and attested by the clerk.

RESOLUTION NO. 98-1231(CG-98-PELTIER)

PASSED

Thereupon there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF A CERTAIN INTERNAL IMPROVEMENT IN THE CITY OF CONCORDIA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENT IN ACCORDANCE WITH SUCH FINDINGS.

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

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. 98-1231 and was signed by the Mayor and attested by the clerk.

RESOLUTION NO. 98-1232(CG-98-JOHNSON)

PASSED

Thereupon there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF A CERTAIN INTERNAL IMPROVEMENT IN THE CITY OF CONCORDIA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENT IN ACCORDANCE WITH SUCH FINDINGS.

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

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. 98-1232 and was signed by the Mayor and attested by the clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 19, 1998, CONT.

RESOLUTION NO. 98-1233(CG-98-FRANK CARLSON LIBRARY)

PASSED

Thereupon there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF A CERTAIN INTERNAL IMPROVEMENT IN THE CITY OF CONCORDIA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING ANY PROVIDING FOR THE MAKING OF THE IMPROVEMENT IN ACCORDANCE WITH SUCH FINDINGS.

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

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. 98-1233 and was signed by the Mayor and attested by the clerk.

ORDINANCE NO. 98-2703(UNIFORM PUBLIC OFFENSE CODE)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS; INCORPORATING BY REFERENCE THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES", EDITION OF 1998, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONAL PROVISIONS; PROVIDING CERTAIN PENALTIES; AND AMENDING THE CONCORDIA CODE, BY ADDING A SECTION TO BE NUMBERED 15-100.

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

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. 98-2703 and was signed by the Mayor and attested by the clerk.

ORDINANCE NO. 98-2704(STANDARD TRAFFIC ORDINANCE)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES", EDITION OF 1998, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONAL PROVISIONS; PROVIDING CERTAIN PENALTIES AND REPEALING EXISTING SECTIONS 23-1 THROUGH 23-6, INCLUSIVE, OF THE CONCORDIA

CODE; AND AMENDING THE CONCORDIA CODE, BY ADDING SECTIONS TO BE NUMBERED 23-1 THROUGH 23-7, BOTH INCLUSIVE.

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

Nay: None.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 19, 1998, CONT.


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. 98-2704 and was signed by the Mayor and attested by the clerk.

PUBLIC COMMENTS

Armand Balthazor said that he did not understand why the city was going to expend \$250,000 on the relocation of the police department, when the park facility could not be expanded, there was no parking and no basement.

Mayor Bombardier announced that there would not be a study session on the 26th of August, 1998.

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 SEPTEMBER 2, 1998

The governing body met in regular session on September 2, 1998, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Bombardier, Hattan and Strecker.

Absent: None.

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

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

Visitors: Susan Retter, Donna Wilson, Rhonda Coffman, Kirk Lowell, Armand Balthazor, Tom Fisher, Burl Maley, Larry Remmenga, Brad Lowell, Joe Jindra, Irene Brown, Verna Ferguson, D.L. and Rita Layton, Don Moler, Stan Martin, Dana Brewer, Larry Uri, Betty Humes, Joyce Robbins, John Cyr, Jeff Bechard, Darrell Nelson, Jeffrey Kymer, Steve Dailey, Patrick Breeding, Arthur Thompson, Eric Johnson, Marie Dale, Brenda Sedlacek, Tina Brewer, Tom Tuggle, Tim Palmquist, Scott Condray, Rob Walsh, Larry Vernon, Dave & Shelly Swenson, Ronda Coffman, Laura Loader, Arlene Nelson, Stephanie Lawson, Lee Doyen, Bill Kline, Lee Lowell, Janice Hattan, Jim Menard, Vicki Jones, Fred Dunshie, Michael Walker, Kathryn Carter, Marvin Stortz, Jackie Askren, Donna Bowers, Ann Lowell, Lisa Fleming, Phil Deneault, Donna Long and Chuck Nondorf.

Minutes of the August 19, 1998 regular meeting was approved as written.

APPROPRIATION ORDINANCE NO. 16

APPROVED

Appropriation Ordinance No. 16 was approved according to law.

INTRODUCTION OF NEW CITY EMPLOYEE

STEPHAN DAILEY

Jeffrey Kymer, Foreman for Public Grounds, introduced Stephen Dailey as the new Public Grounds Municipal Service Worker.

RESOLUTION NO. 98-1234(233 W 3RD)

NUISANCE ABATEMENT

Mayor Bombardier 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 a nuisance exists at the following location:

1. 233 W 3rd - Resolution No. 98-1234

No one was present to represent the property owner.

Commissioner Hattan moved and seconded by Commissioner Strecker to approve Resolution No. 98-1234 with ten (10) days. Motion carried.

RESOLUTION NO. 98-1235(308 E 12TH)

NUISANCE ABATEMENT

Mayor Bombardier 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 a nuisance exists at the following location:

1. 308 E 12th - Resolution No. 98-1235

No one was present to represent the property owner.

Commissioner Hattan moved and seconded by Commissioner Strecker to approve Resolution No. 98-1235 with ten (10) days. Motion carried.

NORTH CENTRAL KANSAS GRAIN

Kirk Lowell, Cloud Corp advised the commission that Cloud County Co-op Elevator, Delphos Cooperative Association, Randall Farmers Cooperative Union and Farmway Co-op Inc. of Beloit are joining together to build a new facility.

Pat Breeding, Delphos Cooperative Association, stated that the new facility would have a positive impact on grain prices in the area. Mr. Breeding estimated that the facility would be up and running in the Fall of 1999.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPT. 2, 1998 CONT.

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, Hattan and Strecker.

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. 98-1236 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 98-1237(AL-98-6TH & 7TH IN BLK 139)

APPROVED

Thereupon there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF A CERTAIN INTERNAL IMPROVEMENT IN THE CITY OF CONCORDIA,KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENT IN ACCORDANCE WITH SUCH FINDS.

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

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. 98-1237 and was signed by the Mayor and attested by the Clerk.

PROCLAMATION (DAVID E RETTER DAY)

Mayor Bombardier read the following proclamation:

**“Proclamation of the Governing Body of the City of Concordia, Kansas
On this second day of September, 1998, we, the governing Body of the City of Concordia, Kansas, do hereby Proclaim:**

Whereas: David E. Retter became City Attorney of the City of Concordia, Kansas, on the eleventh day of April, 1977, and

Whereas: Since that date he has continuously, faithfully, and skillfully performed the duties of that office, serving the city and its populace for more than twenty-one years, and

Whereas: The time, effort, care, and talent devoted by David E. Retter to the discharge of his office have contributed greatly to the welfare of the city and the well-being of its residents,

And Whereas, we find this record of service to be deserving of praise and reward,

Now, therefore, we, the governing body of the City of Concordia, do hereby designate this day,

September 2, 1998

as

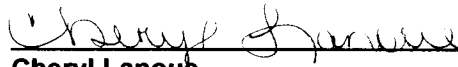
David E. Retter Day

In the City of Concordia, Kansas

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPT. 2, 1998 CONT.**CITY ATTORNEY ASSOCIATION****PRESENTATION**

Don Molar and Stan Martin, with the City of Attorney Association, presented to David E. Retter a Clock, for years of service in the association.

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 SEPTEMBER 16, 1998

The governing body met in regular session on September 16, 1998, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Bombardier, Hattan and Strecker.

Absent: None.

Other Officers: City Manager Smith, Acting City Attorney Uri and City Clerk Lanoue.

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

Visitors: Kirk Lowell, Tom Fisher, Burl Maley, Larry Remmenga, Jim Lowell, Joe Jindra, Patrick Breeding, Judith McKee, Rita and Heavy Layton, Art Slaughter, John Cyr, Arthur Thompson and Darrell Nelson.

Minutes of the September 2, 1998 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 17

APPROVED

Appropriation Ordinance No. 17 was approved according to law.

RESOLUTION NO. 98-1238(IRB FOR NCK GRAIN MARKETING)

APPROVED

Thereupon there was presented a Resolution entitled:

A RESOLUTION APPROVING THE ISSUANCE BY THE BOARD OF COUNTY COMMISSIONERS OF CLOUD COUNTY, KANSAS OF ITS TAXABLE INDUSTRIAL REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$7,000,000 TO PAY THE COSTS OF ACQUIRING, CONSTRUCTING AND EQUIPPING CERTAIN EXTENSION AND IMPROVEMENTS TO AN EXISTING COMMERCIAL GRAIN HANDLING AND STORAGE FACILITY TO BE LEASED TO A LEGAL ENTITY TO BE FORMED BY CERTAIN COOPERATIVE ASSOCIATIONS, WHICH FACILITY IS LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS.

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

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. 98-1238 and was signed by the Mayor and attested by the Clerk.

UPDATE ON HIGHWAY 81

DISCUSSION

Kirk Lowell, CloudCorp, advised the commission that the Kansas Department of Transportation has replied regarding the lighting on US 81 and south entrance. They will fund the following:

1. They will install 4-inch PVC conduit under the side streets and driveways associated with the new lighting system.
2. Lights and wiring located outside the present city limits of Concordia. The city will pay the energy costs associated with these lights.
3. Construction costs above the \$100,000 provided by Concordia for the construction of the new street connection. This includes construction-engineering costs.

SANITARY SEWER PAWNEE/BONEBRAKE BID

SMOKY HILL, LLC

City Manager Smith presented the following bid tabulation on the Sanitary Sewer Pawnee/Bonebrake project.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPT. 16, 1998 CONT.

BID TABULATION SHEET SANITARY SEWER PAWNEE/BONEBRAKE SS-98-1
September 9, 1998 10:00 a.m.

<u>CONTRACTORS</u>	<u>Estimate</u>	<u>Smoky Hill, LLC</u>	<u>Allied Inc.</u>	<u>Stevens Contr.</u>
Base Bid	\$50,945.00	\$47,911.00	\$62,842.50	\$64,727.50
Start Date		Sept. 28, 1998	Oct. 12, 1998	Nov. 1, 1998
Completion Date		Dec. 18, 1998	Feb. 14, 1999	Dec. 23, 1998

Following discussion, Commissioner Hattan moved to accept the low bid from Smoky Hill, LLC for \$47,911.00 starting Sept. 28, 1998 and ending Dec. 18, 1998. Commissioner Strecker seconded. Motion carried.

CURB AND GUTTER 1998 BID

BRYANT & BRYANT CONSTR.

City Manager Smith presented the following bid tabulation on the curb & gutter projects for 1998.

BID TABULATION SHEET CURB AND GUTTER 1998
September 9, 1998 1:00 p.m.

<u>CONTRACTOR</u>	<u>Estimate</u>	<u>Bryant & Bryant Construction</u>
Base Bid	\$17,233.00	\$10,690.50
Start Date		Oct. 12, 1998
Completion Date		November 6, 1998

Following discussion, Commissioner Hattan moved to accept the low bid from Bryant & Bryant, Construction, starting October 12, 1998 and ending November 6, 1998. Commissioner Strecker seconded. Motion carried.

ORDINANCE NO. 98-2705(JAKE BRAKES)

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE PROHIBITING THE USE OR OPERATION OF MECHANICAL EXHAUST DEVICES, ALSO KNOWN AS JAKE BRAKES, AND AMENDING THE CONCORDIA CODE BY ADDING SECTION 23-8.

Thereupon, Commissioner Strecker moved that said Ordinance be adopted. The motion was seconded by Commissioner Hattan. 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, Hattan and Strecker.

Nay: None.

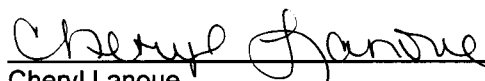
Thereupon, the Ordinance having been received by at least two-thirds (2/3rds) majority vote of the members of the governing body, the mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 98-2705 and was signed by the Mayor and attested by the clerk.

RETRO DEVELOPMENT - DEVELOPMENT AGREEMENT

APPROVED

Kirk Lowell presented a development agreement for Retro Development with a total package of \$168,102.18, which could be special assessments or paid up front, if paid within thirty (30) days after completion of the project. Following discussion, Commissioner Hattan moved to authorize the Mayor to sign the Development Agreement with Retro Development. Commissioner Strecker seconded. Motion carried.

There being no further business, Commissioner Bombardier moved to adjourn the meeting to September 30, 1998 at 6:30 p.m. at City Hall. Commissioner Hattan seconded. Motion carried.



Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD SEPTEMBER 30, 1998

The governing body met in adjourned session on September 30, 1998, at 6:39 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Bombardier and Strecker.

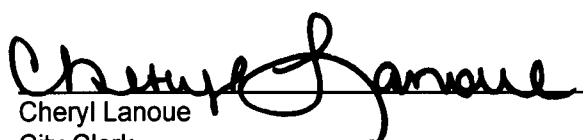
Absent: Commissioner Hattan

Other Officers: City Manager Smith and City Clerk Lanoue.

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

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

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 7, 1998

The governing body met in regular session on October 7, 1998, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Bombardier, Hattan and Strecker.

Absent: None.

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

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

Visitors: Armand Balthazor, Doug Thoman, Tom Fisher, Heath Waite, Burl Maley, Larry Remmenga, Judith A. McKee, Marie Dale, Kent Buer, Stan Martin, Brad Lowell, Joe Jindra and Dusty Mosher.

Minutes of the September 16, 1998 regular meeting and September 30, 1998 adjourned meeting were approved as written.

APPROPRIATION ORDINANCE NO. 18

APPROVED

Appropriation Ordinance No. 18 was approved according to law.

THIRD QUARTER INVESTMENT REPORT

ORDERED PLACED ON FILE

City Manager Smith presented the third quarter investment report for 1998 per Ordinance No. 1860. Total interest received for the third quarter of 1998 was \$14,828.85 compared to \$24,315.90 for 1997. Commissioner Hattan moved to place the third quarter investment report on file. Commissioner Strecker seconded. Motion carried.

RECREATION COMMISSION APPOINTMENT

TABLED

Commissioner Hattan moved to table the recreation commission appointment. Commissioner Bombardier seconded. Motion carried.

PLANNING COMMISSION REAPPOINTMENT

BURTON GERARD & TOM SIMONEAU

City Manager Smith stated that Tom Simoneau and Burton Gerard had been contacted and indicated a willingness to be reappointed. Commissioner Strecker moved to reappoint Tom Simoneau and Burton Gerard to the Planning Commission for a three (3) year term, beginning 11-1-98 to 11-1-2001. Commissioner Hattan seconded. Motion carried.

INTRODUCTION OF NEW CITY EMPLOYEES

HEATH WAITE & DOUG THOMAN

Tom Fisher, Director of Public Works, introduced Heath Waite, Municipal Service Worker and Burl Maley, Director of Public Safety, introduced Doug Thoman, Dispatcher/Records Clerk.

ACCEPTANCE OF 1997 AUDIT

ACCEPTED

Mr. Denis Miller, with Mapes & Miller, went over the 1997 audit, with the following being noted:

1. Depository coverage was not adequately secured in accordance with K.S.A. 9-1402. Additional depository coverage has been obtained subsequent to the violation.
2. The City was not in compliance with the budget laws as required by K.S.A. 79-2935, for Emergency Telephone System.
3. The City was not in compliance with the cash basis laws required by K.S.A. 10-1113, for the following: Sanitary Sewer Projects, Street Projects and Central Garage Revolving.
4. The City pledged Certificates of Deposit for a personal loan guarantee for a former employee who was employed at the time the guarantee was executed. Pledging of this loan contingently violated KSA's 12-105(a), 10-801, 10-802, 10-803, 10-804, 10-805 and 10-810.

Commissioner Hattan moved to accept the 1997 audit. Commissioner Strecker seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 7, 1998, CONT.AGRICULTURAL LAND USE AGREEMENTTABLED

City Manager Smith advised the commission on the following: 11-21-1945 - the city passed a resolution condemning the land for municipal airport use and that there was an exclusion on the use of the unused portion of the land, by the Blosser family; 8-21-1967 - a waiver and consent by Charles and Isabell Blosser for the City to use a portion of that land for farm use; 6-30-1997 - a notice of revocation of consent for the city to use the land, meaning that the Blosser family wanted to utilize the land and on the 9-16-1998 the city received a copy of this agreement, which formalized the 11-21-1945 agreement. Mr. Vernon stated that this agreement does not change anyone's rights under that original agreement. Following discussion, Commissioner Hattan moved to table the agriculture land use agreement, until the manager speaks to Mr. Blosser to clarify some of the questions that the commission had. Commissioner Strecker seconded. Motion carried

CITY ATTORNEY CONTRACT

City Manager Smith advised the commission that he has visited with Larry Uri regarding the vacant position of the city attorney. Mr. Smith stated that he would like to draft an agreement with the firm instead of an individual.

PUBLIC COMMENTSSTAN MARTIN

Stan Martin advised that there was some concern about who could attend the executive session under attorney client privilege. Mr. Martin stated that the city was within the law for the attorney client privileges, but there are other grounds for executive sessions. Mr. Martin advised that there is also an exception to the open meeting act, when it considers the financial affairs of a corporation, in this case the city is dealing with a bank.

Dusty Mosher, on behalf of Citizens National Bank, would request an executive session with the commission to discuss financial relations, business and pending matters between the bank and the city.

EXECUTIVE SESSION - FINANCIAL AFFAIRS OF A CORPORATION

At this time Commissioner Hattan moved that the Commission recess into executive session for thirty (30) minutes to discuss financial interest of a corporation. Commissioner Strecker seconded. Motion carried. Time: 5:05 p.m.

The commission reconvened at 5:35 p.m.

Mayor Bombardier announced that the Commission had been discussing financial interest of a corporation and no binding action had been taken.

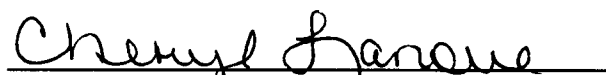
Commissioner Hattan moved to recess an additional twenty (20) minutes to continue the discussion of financial interest of a corporation. Commissioner Strecker seconded. Motion carried.

The commission reconvened at 5:50 p.m.

Mayor Bombardier announced that the Commission had been discussing financial interest of a corporation and no binding action had been taken.

Mayor Bombardier announced that there would be a study session on October 14, 1998

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 21, 1998

The governing body met in regular session on October 21, 1998, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Bombardier and Hattan.

Absent: Commissioner Strecker.

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

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

Visitors: Armand Balthazor, Charlie Blochlinger, Donna Bowers, Judith McKee, Raymond E. and Bersita Mendenhall, Kirk Lowell, Brad Lowell and Joe Jindra.

Minutes of the October 7, 1998 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 19

APPROVED

Appropriation Ordinance No. 19 was approved according to law.

RECREATION COMMISSION APPOINTMENT

City Manager Smith advised the commission that the Recreation Commission is recommending Matt Bechard to fill the unexpired term of Jay Lowell. Commissioner Hattan moved to appoint Matt Bechard to fill the unexpired term on the Recreation Commission. Commissioner Bombardier seconded. Motion carried.

RESOLUTION NO. 98-1239

APPROVED

Thereupon there was presented a Resolution entitled:

A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF \$250,000 PRINCIPAL AMOUNT OF TEMPORARY NOTES, SERIES 1998, OF THE CITY OF CONCORDIA, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX, IF NECESSARY, FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID NOTES AS THEY BECOME DUE; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 98-1239 and was signed by the Mayor and attested by the Clerk.

AGRICULTURAL LAND USE AGREEMENT

TABLED

City Manager Smith advised the commission that the city is still researching this and would recommend that the commission table this item until next regular meeting. Commissioner Hattan moved to table the agriculture land use agreement. Commissioner Bombardier seconded. Motion carried.

RESOLUTION NO. 98-1240 440 W. 7TH (ABATEMENT ASSESSMENT)

PASSED

City Manager Smith advised that Resolution No. 98-1217 was passed June 17, 1998 for the property owner to abate the nuisance at 440 W. 7th Street. The nuisance was not abated and the Concordia Public Grounds Department abated the nuisance. The property owner was billed \$370.10 on July 20, 1998, August 3, 1998 and September 1, 1998 and the bill remains unpaid. Staff is recommending the City Commission consider passing a resolution to assess the amount of \$370.10 to the property taxes of the property owner. Commissioner Hattan moved to pass Resolution No. 98-1240 assessing the amount of \$370.10 to the property owner. Commissioner Bombardier seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCT. 21, 1998 CONT.**EMPLOYEE SERVICE AWARDS**

DONNA BOWERS, WALT HUBER,
CHARLIE BLOCHLINGER AND
RAYMOND MENDENHALL

Mayor Bombardier presented Donna Bowers and Charlie Blochlinger with an award for ten (10) years of service with the City of Concordia. Mayor Bombardier also presented Raymond Mendenhall with an award for twenty-five (25) years of service. Walt Huber, not present, also received a ten (10) year service award.

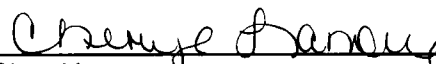
COMMISSIONER COMMENTS

Commissioner Hattan asked if there was a stopping point on the highway and if a traffic signal was going by Walmart. City Manager Smith advised that Tom and himself met with Neosho yesterday and the completion was on time. The completion date of the main line would be January 20, 1999 and there would be a traffic signal at 15th Street into the Walmart parking.

Commissioner Hattan also asked about the next steps on the comprehensive plan. City Manager Smith advised that the data gained from the focus session would be shared with the Planning Commission, City Commission and Staff. There would be some individual meetings with people in the community.

Mayor Bombardier announced that there would not be a study session on October 28, 1998.

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 4, 1998

The governing body met in regular session on November 4, 1998, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Bombardier, Strecker and Hattan.

Absent: None.

Other Officers: City Manager Smith, Acting City Attorney Vernon and Deputy City Clerk Deneault.

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

Visitors: Armand Balthazor, Judith McKee, Beldon Blosser, Dave Swenson, Kirk Lowell, Marie Dale, Ralph E. Campbell, Larry Remmenga, Burl Maley, Brad Lowell and Joe Jindra.

Minutes of the October 21, 1998 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 20 APPROVED

Appropriation Ordinance No. 20 was approved according to law.

AGRICULTURAL LAND USE AGREEMENT TABLED

City Manager Smith advised the commission that the attorney's title company is still looking into this matter and recommended that the commission table this matter. Commissioner Bombardier moved to table the Agricultural Land Use Agreement. Commissioner Strecker seconded. Motion carried.

ORDINANCE NO. 98-2706 APPROVED

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 Strecker moved that said Ordinance be adopted. The motion was seconded by Commissioner Bombardier. 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, Strecker and Hattan.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 98-2706 and was signed by the Mayor and attested by the Clerk.

EASEMENT FROM BELDON & MARILYN BLOSSER ACCEPTED

City Manager Smith advised the commission that Beldon & Marilyn Blosser would be giving the city or its agents, employees, or franchises to exercise within the boundaries of the same all powers of the City in connection with construction, reconstruction, maintenance, repair, removal, relocation or enlargement of all city or franchisee streets, curbs, gutter, storm or sewer drainage lines, utility lines, cables, pipelines and all utility appurtenances, including specifically the improvement. The improvement would be for 21st Street. Following discussion, Commissioner Strecker moved to accept the easement from Beldon and Marilyn Blosser. Commissioner Bombardier seconded. Motion carried.

RESOLUTION NO. 98-1241 APPROVED

Thereupon there was presented a Resolution entitled:

A RESOLUTION THAT THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS, HAS BY ORDINANCE, PURSUANT TO K.S.A. 12-825(A), ESTABLISHED A PETTY CASH FUND FOR THE WATER AND SEWAGE DEPARTMENT OF THE CITY OF CONCORDIA AND HAS FURTHER FOUND IT NECESSARY TO AUTHORIZE A GENERAL PETTY CASH FUND TO BE ESTABLISHED AND MAINTAINED IN THE CENTRAL BUSINESS OFFICE OF THE CITY BY THE CITY TREASURER.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 4, 1998, cont'd.

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 98-1241 and was signed by the Mayor and attested by the Clerk.

PUBLIC COMMENTS

Armand Balthazor asked why petty cash was being increased. Deputy City Clerk Deneault explained utility rates had gone up, requiring more cash in the drawer.

EXECUTIVE SESSION - NON-ELECTED PERSONNEL


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

The commission reconvened at 4:30 p.m.

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

Mayor Bombardier announced that there would not be a study session on November 11, 1998. The next regular meeting would be November 18, 1998.

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



Phil Deneault
Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 18, 1998

The governing body met in regular session on November 18, 1998, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Bombardier, Strecker and Hattan.

Absent: None.

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

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

Visitors: Armand Balthazor, Kirk Lowell, Marie Dale, Tom Fisher, Ken Roberts, Jim Coash, Andy Hess, Larry Remmenga, Burl Maley, Brad Lowell and Joe Jindra.

Minutes of the November 4, 1998 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 21

APPROVED

Appropriation Ordinance No. 21 was approved according to law.

AGRICULTURAL LAND USE AGREEMENT

TABLED

City Manager Smith advised the commission that Scott Condray's office had completed their investigation into this matter. Mr. Smith advised that Commissioner Hattan had some additional items to research and city staff has done that and no additional information was found on the warranty deed that was published and there was no record in the County Commission minutes. Mr. Smith advised that there were two (2) issues one is the issue of ownership and the other who has the right to farm the land.

Commissioner Hattan asked what a warranty deed was. Acting City Attorney Vernon advised that a warranty deed is a marketable title and that you own it completely, but there can be other resources in the warranty deed.

Commissioner Strecker moved to authorization the mayor to sign the Agricultural Land Use Agreement. Commissioner Hattan stated that he felt that if we signed the agreement we were signing that the land is not the city's. Acting City Attorney Vernon responded that that is correct. That the agreement mentioned several times that it was an easement. Following discussion, Commissioner Strecker withdrew his motion.

Commissioner Bombardier moved to table the Agricultural Land Use Agreement until December 2, 1998. Commissioner Hattan seconded. Motion carried.

HIGHWAY 81 STREET LIGHTING

APPROVED

City Manager Smith presented the commission with the following presentation:

<u>Description</u>	<u>Number of Lights</u>	<u>Total Cost</u>	<u>Payment Responsibility</u>
Street Lights South of Concordia south City Limits	16	\$48,399.55	Kansas Department of Transportation
Street Lights Through Concordia & Inside City Limits	45	\$136,123.73	City of Concordia
Street Lights North of Concordia North City Limits	10	\$30,249.72	Kansas Department of Transportation

PROJECT TOTALS

<u>Description</u>	<u>Number of Lights</u>	<u>Total Costs</u>
City of Concordia	45	\$136,123.73
KDOT	26	\$78,649.27
TOTAL COST		\$214,773.00

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 18, 1998 cont'd.

PAYMENT SCHEDULE

<u>Payment Made By</u>	<u>Date</u>	<u>Payment Amount</u>	<u>Balance Remaining</u>
Beginning Balance			\$214,773.00
Blosser Foundation	1998	\$30,000.00	184,773.00
Westplains Energy	1998	\$20,000.00	164,773.00
City of Concordia	1999	\$25,000.00	139,773.00
KDOT	1999	\$78,649.27	61,123.73
City of Concordia	2000	\$61,123.73	0.00

Following discussion, Commissioner Hattan moved to authorize the mayor to sign the Lighting Agreement with UtiliCorp United, Inc. Commissioner Strecker seconded. Motion carried.

POLICE DEPARTMENT WINDOW BIDSCONCORDIA MIRROR AND GLASS

City Manager Smith advised the commission that Concordia Mirror and Glass and Jackson Glass both bid on the window replacement at the new law enforcement center. The bids being as follows:

Concordia Mirror and Glass	\$2,600.63	21 days
Jackson Glass	\$2,834.25	30 days

Following discussion, Commissioner Strecker moved to accept the low bid from Concordia Mirror and Glass of \$2,600.63. Commissioner Hattan seconded. Motion carried.

COPY MACHINE BIDSIKON OFFICE SOLUTIONS

City Clerk Lanoue advised the commission that the City accepted bids for a copier until 12:00 p.m. on November 10, 1998 and received one bid from Ikon Office Solutions. City Clerk recommend that the commission consider accepting the lease agreement for 36 months without a trade and paying \$4000 down from the 1998 budget, with a lease payment of approximately \$330 per month for 36 months. The old copier would go the police department. Commissioner Hattan moved to accept the lease agreement for 36 months without a trade and paying \$4000 down. Commissioner Strecker seconded. Motion carried.

FINAL COSTS - AL-BLK 139-98-6TH & 7TH STREETSAPPROVED

City Manager Smith presented to the Governing Body the following itemized statement of the actual costs of: grading and laying asphalt in the alley between 6th & 7th, Olive to Spruce.

<u>PROJECT NO. AL-BLK139-98-6TH&7TH STREETS</u>	<u>PROPERTY ASSESSMENT</u>
Asphalt	\$2,431.00
Advertising	72.77
Administration	<u>32.72</u>
TOTAL COST	\$2,536.49

Commissioner Hattan moved to approve final cost of \$2,536.49 on Project No. BLK-139-98-6TH & 7TH Streets. Commissioner Strecker seconded. Motion carried.

ASSESSMENT HEARING AL-BLK 139-98-6TH & 7TH STREETSHELD

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

Grading and laying asphalt in the alley between 6th & 7th, Olive to Spruce, all in the City of Concordia, Cloud County, Kansas.

The Governing Body determined that the notice of hearing and a statement of the costs proposed to be assessed had been mailed to the owners of the property made liable to pay such assessments, all as provided by Section 9 (b) of Chapter 99, of the Kansas Legislative Session Laws of 1957, otherwise cited as K.S.A. 12-6a09(b).

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

Commissioner Hattan moved to close the assessment hearing. Commissioner Strecker seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 18, 1998 cont'd.

ORDINANCE NO. 98-2707

APPROVED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENTS THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF THE SURFACING OF THE ALLEY IN BLOCK ONE HUNDRED THIRTY-NINE (139), BETWEEN SIXTH & SEVENTH STREETS (6TH & 7TH STREETS).

Thereupon, Commissioner Hattan moved that said Ordinance be adopted. The motion was seconded by Commissioner Strecker. 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, Strecker and Hattan.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 98-2707 and was signed by the Mayor and attested by the Clerk.

FINAL COSTS - AL-BLK 26-98-ALLEY PROJECT

APPROVED

City Manager Smith presented to the Governing Body the following itemized statement of the actual costs of: grading and laying asphalt in the alley between 17th & 18th, Broadway to Lincoln.

<u>PROJECT NO. AL-BLK26-98</u>	<u>PROPERTY ASSESSMENT</u>
Asphalt	\$2,635.00
Advertising	68.36
Administration	<u>40.55</u>
TOTAL COST	\$2,743.91

Commissioner Hattan moved to approve final cost of \$2,743.91 on Project No.BLK-26-98. Commissioner Strecker seconded. Motion carried.

ASSESSMENT HEARING AL-BLK 26-98

HELD

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

Grading and laying asphalt in the alley between 17th & 18th, Broadway to Lincoln, all in the City of Concordia, Cloud County, Kansas.

The Governing Body determined that the notice of hearing and a statement of the costs proposed to be assessed had been mailed to the owners of the property made liable to pay such assessments, all as provided by Section 9 (b) of Chapter 99, of the Kansas Legislative Session Laws of 1957, otherwise cited as K.S.A. 12-6a09(b).

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

Commissioner Hattan moved to close the assessment hearing. Commissioner Strecker seconded. Motion carried.

ORDINANCE NO. 98-2708

APPROVED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENTS THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF THE SURFACING OF THE ALLEY IN BLOCK TWENTY-SIX (26), BETWEEN SEVENTEENTH AND EIGHTEEN STREETS (17TH & 18TH STREETS).

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 18, 1998 cont'd.

Thereupon, Commissioner Hattan moved that said Ordinance be adopted. The motion was seconded by Commissioner Strecker. 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, Strecker and Hattan.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 98-2708 and was signed by the Mayor and attested by the Clerk.

FINANCIAL ADVISORY SERVICES(GEORGE K. BAUM & COMPANY)

APPROVED

City Manager Smith advised the commission that George K. Baum & Company is now required by the N.A.S.D. to have written agreements with all of their clients. Commissioner Hattan moved to authorize the mayor and city clerk to sign the agreement. Commissioner Strecker seconded. Motion carried.

URGENT NEED GRANT(NCRPC)

AUTHORIZED

City Manager Smith advised the commission that the city has a storm water drainage and retaining wall collapsing south of the Super 8 Motel. North Central Regional Planning Commission advised that they would submit an urgent needs grant for this project. Commissioner Hattan moved to set a public hearing date for the project on December 2, 1998. Commissioner Strecker seconded. Motion carried.

FRANK CARLSON LIBRARY LIGHTING REQUEST

APPROVED

City Manager Smith presented a request from the Library requesting a light on the southeast side of the library near the drive-up book returns. Mr. Smith advised that the city had contacted the property owners. Commissioner Strecker moved to approve a street light be placed at the southeast side of library. Commissioner Bombardier seconded. Motion carried.

PROFESSIONAL LIABILITY INSURANCE

APPROVED

City Manager Smith advised the commission that the city currently has \$1 million on professional liability insurance and state law limits to \$500,000 unless the city has coverage above that limit. Commissioner Strecker moved to lower the professional liability limit to \$500,000. Commissioner Bombardier seconded. Motion carried.

ORDINANCE NO. 98-2709

APPROVED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE AMENDING SECTION 2 OF ARTICLE XVIII AND ARTICLE XXIV OF THE CITY OF CONCORDIA, KANSAS ZONING REGULATIONS AS ADOPTED BY ORDINANCE 1829 OF THE CITY OF CONCORDIA, KANSAS.

Thereupon, Commissioner Hattan moved that said Ordinance be adopted. The motion was seconded by Commissioner Bombardier. 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, Strecker and Hattan.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 98-2709 and was signed by the Mayor and attested by the Clerk.

PROFESSIONAL LIABILITY INSURANCE

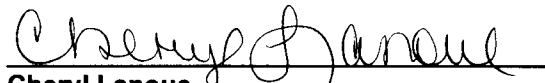
Acting City Attorney Vernon advised the commission that he didn't know if the \$500,000 maximum also included the cost for legal defense. Following discussion, Commissioner Hattan moved to resend the motion to lower the professional liability insurance to \$500,000. Commissioner Strecker seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 18, 1998 contd.**RETRO SUBDIVISION PLAT****APPROVED**

City Manager Smith advised that Retro Property Group is seeking approval of Lots 8-13 in the S 1/2 Block 40 and Lots 1-7 in the N 1/2 Block 21 Original Town in the City of Concordia, Cloud County, Kansas. The lots to which the final plat applies are zoned R-2(two-family Dwelling District). The R-2 district requires a minimum of 9,000 square feet of lot area for each two-family dwelling building. Mr. Smith advised that not all of the existing lots on which the duplexes are proposed contain this amount of lot area and the applicant is proposing to replat the existing lots. The Planning Commission considered the proposed final plat at their November 10, 1998 meeting. The Planning Commission approved the final plat subject to lot pins for each lot being set after final grading is completed on the site. Mr. Smith advised that in order for the final plat to be recorded, the street rights-of-way and easements indicated on the plat need to be accepted by the city. There are no new rights-of-way or easement being created. Mr. Smith stated that acceptance of the dedications indicated on the final plat is merely a reacceptance of the rights-of-way and easements that are existing today. Following discussion, Commissioner Strecker moved to accept the rights-of-way and easements proposed to be dedicated to the city as part of the final plat of Retro's Subdivision of Lots 8-13 in the S 1/2 Block 40 and Lots 1-7 in the N 1/2 Block 21 Original Town in the City of Concordia, Cloud County, Kansas. Commissioner Hattan seconded. Motion carried.

City Manager Smith announced that there would not be a study session on November 25, 1998. The next regular meeting would be December 2, 1998.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 2, 1998

The governing body met in regular session on December 2, 1998, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Bombardier, Strecker and Hattan.

Absent: None.

Other Officers: City Manager Smith and City Clerk Lanoue.

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

Visitors: Armand Balthazor, Kirk Lowell, Marie Dale, Tom Fisher, Larry Remmenga, Burl Maley, Lowell Thoman, LaVern C. Robbins, Stan Martin, Irene Brown, Brad Lowell and Joe Jindra.

Minutes of the November 18, 1998 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 22

APPROVED

Appropriation Ordinance No. 22 was approved according to law.

AGRICULTURAL LAND USE AGREEMENT

APPROVED

City Manager Smith advised that there is now new information regarding this item. Commissioner Strecker stated that the city condemned the land in 1945 for airport use only and that all mineral rights of the land went to the Blossers. Commissioner Strecker stated that the city was being asked to honor the 1967 waiver and consent land use agreement with Charles and Isabell Blosser. Commissioner Hattan stated that he felt that the city commission, at the time, thought the city owned the land. They even voted on purchasing an additional 80 acres so they could control the use. Commissioner Hattan stated that the city has made all of the improvements on the property. Commissioner Hattan stated that he was in complete disagreement with who owns the property and what the rights were at the time. Commissioner Hattan stated that no one has explained why both the Blade-Empire and the Kansan, the official newspaper at the time, published information that a warranty deed had been filed at the Register of Deeds office for the airport land. Commissioner Hattan felt that their allegiance is to the people of Concordia not to a private land owner. Following discussion, Commissioner Strecker moved to authorize the Mayor to sign the Agricultural Land Use Agreement. Commissioner Bombardier seconded. The Agricultural Land Use Agreement was approved by the following roll call vote:

Yes: Commissioners Bombardier and Strecker.

No: Commissioner Hattan

PROFESSIONAL LIABILITY INSURANCE

APPROVED

City Manager Smith advised that at the last meeting there was some concern with the legal expenses being combined with the maximum coverage. Mr. Smith stated that it would be true if we increased the amount of coverage and our limit of liability would also increase. Mr. Smith advised that the recommendation is that we reduce the coverage to the statutory limit of \$500,000. Following discussion, Commissioner Strecker moved to reduce the limits of liability to \$500,000. Commissioner Bombardier seconded. Motion carried.

CARES, INC. REVOLVING LOAN FUND PAYMENT

APPROVED

City Manager Smith stated that CARES, Inc. was experiencing a cash flow problem in the operation of their business. They have requested to go on an interest only payment basis for one year. Following discussion, Commissioner Bombardier moved to approve CARES, Inc. paying interest only payments for a twelve month period beginning 1-1-99 and ending 12-31-99. Commissioner Strecker seconded. Motion carried.

PUBLIC HEARING - URGENT NEED GRANTS

HELD

Mayor Bombardier opened the public hearing. City Manager Smith stated that the cost of the project is \$119,195. Proposed financing would be \$114,195 from Community Development Block Grant Funds and \$5,000 from the City. Mayor Bombardier asked for public comments. Armand Balthazor asked what the city costs would be. City Manager Smith advised \$5,000. Kirk Lowell stated that he was in support of the Grant Application. Mayor Bombardier closed the public hearing.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 2, 1998 cont'd.**RESOLUTION NO. 98-1242(CDBG)****PASSED**

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF CONCORDIA, KANSAS
AUTHORIZING THE CHIEF ELECTED OFFICIAL TO SIGN THE URGENT NEED
DOCUMENTS AND COMMITTING TO A PORTION OF SAID PROJECT COSTS.

The Resolution was considered and discussed; and thereupon on motion of Commissioner Strecker, seconded by Commissioner Bombardier, the Resolution was adopted by the following roll call vote:

Yes: Commissioner Bombardier, Hattan and Strecker.

No: None.

Thereupon, the Resolution having been adopted by majority vote of the governing body, it was given No. 98-1242; was directed to be signed by the Mayor and attested by the City Clerk.

**KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT
ACCESS TO PROPERTY AGREEMENT****APPROVED**

City Manager Smith advised chemical contamination existed in the vicinity of Riteway Cleaners and as a result, a cleanup of the contamination has occurred and Kansas Department of Health and Environment has a responsibility to monitor the levels to ensure they continue to reduce. The Kansas Department of Health and Environment is asking the city to permit them to sample soil on our rights of way. Commissioner Bombardier moved to authorize the Mayor to sign the Access to Property Agreement. Commissioner Hattan seconded. Motion carried.

ORDINANCE NO. 98-2710(LIQUOR BY THE DRINK)**APPROVED**

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE AMENDING CHAPTER 3 OF THE CONCORDIA CODE BY AMENDING
SECTIONS 3-18 AND 3-26, BY INCREASING LICENSE FEES FOR PRIVATE CLUBS, AND BY
ADDING A NEW ARTICLE IV, PERTAINING TO THE LICENSING OF CERTAIN
ESTABLISHMENTS THAT SERVE LIQUOR BY THE DRINK AND THE LEVYING OF AN
ANNUAL LICENSE TAX ON SUCH ESTABLISHMENTS AS AUTHORIZED BY K.S.A. 41-2622.

Thereupon, Commissioner Bombardier moved that said Ordinance be adopted. The motion was seconded by Commissioner Strecker. 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, Strecker and Hattan.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 98-2710 and was signed by the Mayor and attested by the Clerk.

PETITION RETRO DEVELOPMENT**ACCEPTED**

City Manager Smith advised that Retro Development is petitioning for Street, Water Line, Sanitary Sewer, and Alley Improvements, with a total estimated cost of \$180,710, all to be increased at the pro rata rate of 1 percent per month from and after the date of adoption of a resolution authorizing the Improvement. The cost of the improvements would be 100% assessed against the Improvement District and 0% to be paid by the City-at-large. Commissioner Strecker moved to accept the petition from Retro Development. Commissioner Hattan seconded. Motion carried.

RESOLUTION NO. 98-1243(RETRO DEVELOPMENT)**PASSED**

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF A CERTAIN
INTERNAL IMPROVEMENT IN THE CITY OF CONCORDIA, KANSAS; MAKING CERTAIN
FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE
MAKING OF THE IMPROVEMENT IN ACCORDANCE WITH SUCH FINDINGS (STREET,
WATER, SEWER AND ALLEY/CONCORDIA APARTMENTS).

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 2, 1998 cont'd.

The Resolution was considered and discussed; and thereupon on motion of Commissioner Bombardier, seconded by Commissioner Hattan, the Resolution was adopted by the following roll call vote:

Yes: Commissioners Bombardier, Hattan and Strecker.

No: None.

Thereupon, the Resolution having been adopted by majority vote of the governing body, it was given No. 98-1243; was directed to be signed by the Mayor and attested by the City Clerk; and the City Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Cloud County, Kansas, all as required by law.

PUBLIC COMMENTS

LaVern Robbins asked how far behind were they on Highway 81. Mr. Fisher responded that it was being advertised as eight (8) weeks.

Mr. Robbins stated that he wanted to make a few comments on the loan that happened on December 5, 1997. First, that the commission was not aware of this loan, until after the fact and that he felt that the bank and the last city attorney's law firm are at fault and should be the ones to pay.

EXECUTIVE SESSION - ATTORNEY CLIENT PRIVILEGES

At this time Commissioner Hattan moved that the Commission recess into executive session for thirty (30) minutes to discuss attorney client privileges. Commissioner Strecker seconded. Motion carried. Time: 4:45 p.m.

The commission invited City Manager Smith.

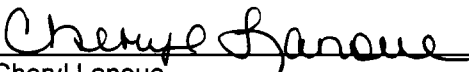
The commission reconvened at 5:10 p.m.

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

City Manager Smith announced that the City Commission would be attending a Planning and Zoning Training Workshop on December 14, 1998 at 7:00 p.m. at City Hall and on December 15, 1998, at 7:00 p.m. a Comprehensive Plan Charrette.

Mayor Bombardier announced that there would not be a study session next week.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 16, 1998

The governing body met in regular session on December 16, 1998, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Bombardier, Strecker and Hattan.

Absent: None.

Other Officers: City Manager Smith, City Attorney Uri and City Clerk Lanoue.

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

Visitors: Armand Balthazor, Marie Dale, Burl Maley, Judith McKee, Irene Brown, Brad Lowell and Joe Jindra.

Minutes of the December 2, 1998 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 23

APPROVED

Appropriation Ordinance No. 23 was approved according to law.

BOARD OF ZONING APPEALS

CLARK TALLEY AND LUANN MILLER

City Manager Smith advised the commission that Clark Talley and Luann Miller's appointments expire on 1-19-99 and both have expressed interest in serving again. Commissioner Hattan moved to appoint Clark Talley and Luann Miller to the Board of Zoning Appeals from 1-19-99 to 1-19-2002. Commissioner Strecker seconded. Motion carried.

RETRO DEVELOPMENT UPDATE

City Attorney Uri updated the commission on the Retro Development project.

RESOLUTION NO. 98-1244(BOUNDARY RESOLUTION)

PASSED

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DEFINING THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS.

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 98-1244 and was signed by the Mayor and attested by the Clerk.

LICENSE AGREEMENT

BELDON BLOSSER

City Manager Smith advised the commission that the original license agreement is with the late Isabell Blosser. The agreement is the same except for the date from 2004 to 2008. City Attorney Uri advised that the agreement can be revoked at thirty (30) days notice for any reason. Following discussion, Commissioner Strecker moved to authorize the mayor to sign the license agreement with Beldon Blosser. Commissioner Bombardier seconded. The vote being as follows:

Aye: Commissioners Bombardier and Strecker.

Nay: Commissioner Hattan.

With a two-thirds vote the motion carried.

RESOLUTION NO. 98-1245

PASSED

Thereupon, there was presented a Resolution entitled:

A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 16, 1998, cont'd.

OF \$300,000 PRINCIPAL AMOUNT OF TEMPORARY NOTES, SERIES 1998-2, OF THE CITY OF CONCORDIA, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX, IF NECESSARY, FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID NOTES AS THEY BECOME DUE; MAKING CERTAIN CONVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 98-1245 and was signed by the Mayor and attested by the Clerk.

DESIGNATION OF OFFICIAL DEPOSITORIES

APPROVED

City Manager Smith 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, Peoples Exchange Bank and Peoples National Bank as official depositories for 1999. Commissioner Strecker seconded. Motion carried.

PAGER BIDS

PIERCE ELECTRONICS

City Manager Smith advised the commission that the city accepted bids for pagers for the Fire/EMS department as follows:

<u>Vendor</u>	<u>No.</u>	<u>Product</u>	<u>Total Amount</u>
Pierce Electronics	25	Motorola Minitor III	\$ 8,400.00
Ka-Comm., Inc.	25	SCA Sceptar	\$10,500.00

Following discussion, Commissioner Strecker moved to accept Pierce Electronics bid for \$8,400.00. Commissioner Hattan seconded. Motion carried.

COMMISSION COMMENTS

Commissioner Hattan asked the status of the police department. Burl Maley, Director Public Safety advised that the walls were going up and he was working on the phone system.

Commissioner Hattan wondered what the status of US 81 was. City Manager Smith advised that all the concrete should be poured by the end of the week, with the exception of 6th & Lincoln.

Commissioner Hattan asked if the fence could be moved behind the "Welcome to Concordia" sign south of town. City Manager Smith advised he would check on that.

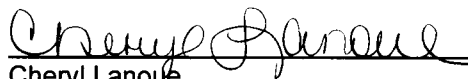
PUBLIC COMMENTS

Armand Balthazor asked what the city was going to do about the \$100,000. City Manager Smith advised that the Attorneys are discussing this issue.

Mr. Balthazor stated that he didn't feel that the airport land should go untaxed, someone should be paying taxes on the land.

Mayor Bombardier announced that there would not be a study session next week and the next regular meeting would be January 6, 1999.

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


Cheryl Lanoue
City Clerk

(Seal)