

# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 5, 2000**

The governing body met in regular session on January 5, 2000, 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 Ferguson.

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, Judith McKee, Joe Jindra, Burl Maley, Larry Remmenga, Wynndee Lee, Beldon Blosser, Jim Conn and Brad Lowell.

Minutes of the December 15, 1999 regular meeting were approved as written.

## **RESOLUTION NO. 2000-1304**

**PASSED**

Mayor Strecker stated at this time a hearing before the Governing Body was convened as prescribed under Section 15-6 and 15-7, Code of the City of Concordia to consider whether a nuisance exists at the following location:

221 W. 3rd

City Clerk and Wynndee Lee, Director of Community Development advised the Commission that the property owner had been contacted.

No one was present to represent the property owner.

Commissioner Ferguson moved and seconded by Commissioner Strecker to approve Resolution No. 2000-1304 with five (5) additional days. Motion carried.

## **REAPPOINTMENT - BOARD OF ZONING APPEALS**

**GEORGE CHAMPLIN**

City Manager Smith stated that George Champlin had been contacted and indicated a willingness to be reappointed. Commissioner Ferguson moved to reappoint George Champlin to the Board of Zoning Appeals for a three (3) year term, beginning January 19, 2000 to January 19, 2003. Commissioner Bombardier seconded. Motion carried.

## **ORDINANCE NO. 2000-2757- SCOTT SPECIALTIES**

**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. Commissioner Ferguson seconded the motion. 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:

Yes: Commissioners Bombardier, Strecker and Ferguson.

No: None

Thereupon, the Ordinance having received a unanimous vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2000-2757 and was signed and approved by the Mayor and attested by the Clerk.

## **EASEMENT - F & A FOOD SALES & BELDON & MARILYN BLOSSER**

**ACCEPTED**

City Manager Smith advised the Commission that F & A Food Sales Company, Inc. and Beldon and Marilyn Blosser would be providing permanent easement on two (2) tracts of land near the new 22nd Street, for the purpose of a permanent right-of-way easement for public street purposes, including but not limited to the construction, installation, maintenance, repair and replacement of permanent street improvements and permanent utility easement. Following discussion, Commissioner Ferguson moved to accept the easement from F & A Food Sales Company, Inc. and Beldon and Marilyn Blosser. Commissioner Strecker seconded. Motion carried.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 5, 2000,contd.**

**RESOLUTION NO.2000-1305 - VACATING TWO CERTAIN PUBLIC UTILITY EASEMENTS      PASSED**

Thereupon, there was presented a Resolution entitled:

VACATE TWO CERTAIN PUBLIC UTILITY EASEMENTS IN THE CITY OF CONCORDIA, KANSAS.

Thereupon, Commissioner Ferguson 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 City Commission, being as follows:

Aye: Commissioners Bombardier, Strecker and Ferguson

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2000-1305 and was signed by the Mayor and attested by the Clerk.

**PUBLIC HEARING - JIM AND DEANNA CONN**

**HELD**

Mayor Strecker opened the public hearing. Mayor Strecker announced that this was a hearing on 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:

For removal of debris on property located at Lot 3, Block 135, 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 assessment, 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).

Jim Conn requested a two week waiting period before the Commission take action on the Assessment Ordinance.

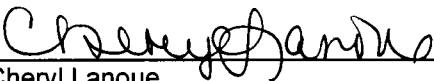
Mayor Strecker closed the public hearing.

**ASSESSMENT ORDINANCE - JIM & DEANNA CONN**

**TABLED**

Commissioner Bombardier moved to table the assessment ordinance until January 19, 2000. Commissioner Strecker seconded. Motion carried.

There being no further business, Commissioner Ferguson moved to adjourn to January 19, 2000 at 4:00 p.m. Commissioner Bombardier seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 19, 2000

The governing body met in regular session on January 19, 2000, 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 Ferguson.

Absent: Commissioner Strecker

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, Judith McKee, Joe Jindra, Burl Maley, Larry Remmenga, Wynndee Lee, Jim Conn, Tom Simoneau, Kirk Lowell and Brad Lowell.

Minutes of the January 5, 2000 regular meeting were approved as written.

### APPROPRIATION ORDINANCE NO. 24

APPROVED

Appropriation Ordinance No. 24 was approved according to law.

### FOURTH QUARTER INVESTMENT REPORT

APPROVED

City Manager Smith presented the fourth quarter investment report per Ordinance No. 1860. Total interest for the fourth quarter of 1999 was \$133,968.27 compared to \$113,045.18 for 1998. Commissioner Ferguson moved to place on file the fourth quarter investment report. Commissioner Bombardier seconded. Motion carried.

### RECREATION COMMISSION APPOINTMENTS

City Manager Smith advised the commission that several names were recommended for the Recreation Commission positions open. Becky Jones resigned her position, which expires 1-31-2002. The terms of Jim Conn, Laurie Deal and Matt Bechard expire on 1-31-2000. They have been contacted and are willing to serve another four year term, except Matt Bechard. Staff has contacted Steve Schroeder, Diane Jensen and Nicole Eitzman and they are interested in serving on the Commission.

Commissioner Ferguson moved to appoint Laurie Deal, Jim Conn and Steve Schroeder to four-year terms (1-31-00 to 1-31-04) and Diane Jensen to fill the unexpired term of Becky Jones (1-31-02). Commissioner Bombardier seconded. Motion carried.

### RESOLUTION NO. 2000-1306

PASSED

City Manager Smith advised that Resolution No. 99-1290 was passed October 6, 1999 for the property owner to abate the nuisance at 404 W. 9th Street. The nuisance was not abated and the Concordia Public Grounds Department abated the nuisance. The property owner was billed \$147.50 on November 1, 1999 and the bill remains unpaid. Staff is recommending the City Commission consider passing a resolution to assess the amount of \$147.50 to the property taxes of the property owner. Commissioner Ferguson moved to pass Resolution No. 2000-1306 assessing the amount of \$147.50 to the property owner. Commissioner Bombardier seconded. Motion carried.

### RESOLUTION NO. 2000-1307

PASSED

City Manager Smith advised that Resolution No. 99-1285 was passed September 15, 1999 for the property owner to abate the nuisance at 709 E. 6th Street. The nuisance was not abated and the Concordia Public Grounds Department abated the nuisance. The property owner was billed \$42.50 on October 4, 1999 and the bill remains unpaid. Staff is recommending the City Commission consider passing a resolution to assess the amount of \$42.50 to the property taxes of the property owner. Commissioner Bombardier moved to pass Resolution No. 2000-1307 assessing the amount of \$42.50 to the property owner. Commissioner Ferguson seconded. Motion carried.

### RESOLUTION NO. 2000-1308

PASSED

City Manager Smith advised that Resolution No. 99-1287 was passed September 15, 1999 for the property owner to abate the nuisance at 323 E. 12th Street. The nuisance was not abated and the Concordia Public Grounds Department abated the nuisance. The property owner was billed \$71.67 on October 4, 1999 and the bill remains unpaid. Staff is recommending the City Commission consider passing a resolution to assess the amount of \$71.67 to the property taxes of the property owner. Commissioner Ferguson moved to pass Resolution No. 2000-1308 assessing the amount of \$71.67 to the property owner. Commissioner Bombardier seconded. Motion carried.

### RESOLUTION NO. 2000-1309

PASSED

City Manager Smith advised that Resolution No. 99-1286 was passed September 15, 1999 for the property owner to abate the nuisance at 308 E. 12th Street. The nuisance was not abated and the

# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 19, 2000, contd.**

Concordia Public Grounds Department abated the nuisance. The property owner was billed \$112.50 on October 4, 1999 and the bill remains unpaid. Staff is recommending the City Commission consider passing a resolution to assess the amount of \$112.50 to the property taxes of the property owner. Commissioner Bombardier moved to pass Resolution No. 2000-1309 assessing the amount of \$112.50 to the property owner. Commissioner Ferguson seconded. Motion carried.

## **ASSESSMENT ORDINANCE - JIM & DEANNA CONN**

**TABLED**

Jim Conn, property owner, requested a forty-five (45) day grace period. Commissioner Bombardier moved to table the assessment ordinance until March 15, 2000. Commissioner Ferguson seconded. Motion carried.

## **CHARTER ORDINANCE NO. 20**

**PASSED**

Thereupon there was presented a Charter Ordinance entitled:

A CHARTER ORDINANCE EXEMPTING THE CITY OF CONCORDIA, KANSAS FROM THE PROVISIONS OF K.S.A. 12-401, RELATING TO THE FORM AND CONTENTS OF PLATS, AND TO THE APPROVAL OF PLATS BY THE CITY ATTORNEY, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT.

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

Yes: Commissioners Bombardier and Ferguson.

No: None

Thereupon, the Charter Ordinance having received a unanimous vote of the members of the governing body, the Acting Mayor declared said Charter Ordinance duly adopted and the Charter Ordinance was then duly numbered Charter Ordinance No. 20 and was signed and approved by the Mayor and attested by the Clerk.

## **ORDINANCE NO. 2000-2758 - SUBDIVISION REGULATIONS**

**APPROVED**

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE ADOPTING SUBDIVISION REGULATIONS FOR THE CITY OF CONCORDIA.

Thereupon, Commissioner Ferguson moved that said Ordinance be adopted. Commissioner Bombardier seconded the motion. 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:

Yes: Commissioners Bombardier and Ferguson.

No: None

Thereupon, the Ordinance having received a unanimous vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2000-2758 and was signed and approved by the Mayor and attested by the Clerk.

## **ORDINANCE NO. 2000-2759 - PLANNING & ZONING FEES**

**PASSED**

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE ESTABLISHING FEES FOR FILINGS AND APPLICATIONS MADE TO THE CONCORDIA PLANNING COMMISSION; AND AMENDING THE CONCORDIA CODE, BY AMENDING SECTION 3 OF ARTICLE XXVII OF THE ZONING ORDINANCE OF THE CITY OF CONCORDIA AS INCORPORATED BY CONCORDIA CODE SECTION 27-1 AND BY ENACTING A NEW SECTION 1-1 OF NEW CHAPTER 1.5 OF THE CONCORDIA CODE.

Thereupon, Commissioner Bombardier moved that said Ordinance be adopted. Commissioner Ferguson seconded the motion. 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:

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 19, 2000, contd.**

Yes: Commissioners Bombardier and Ferguson.

No: None

Thereupon, the Ordinance having received a unanimous vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2000-2759 and was signed and approved by the Mayor and attested by the Clerk.

**CITY MANAGER CAR/SPORTS COMPLEX TRUCK BIDS**

City Manager Smith advised the commission that the city received bids from the following for two used vehicles. (One to be used as the City Manager's vehicle and the other to be used at the Sports Complex.)

**BID SHEETS****CITY MANAGER'S VEHICLE**


<u>BIDDER</u>	<u>VEHICLE</u>	<u>MILEAGE</u>	<u>YEAR</u>	<u>MODEL</u>	<u>BID PRICE</u>
Womack Sunshine	Mercury	68,767	1997	Grand Marquis	\$11,746.54
Womack Sunshine	Ford	23,820	1999	Crown Victoria	\$15,962.47
Womack Sunshine	Mercury	25,070	1999	Sable GS	\$11,677.44
Womack Sunshine	Ford	21,900	1999	Taurus	\$11,794.70
Babe Houser	Pontiac	23,501	1999	Bonneville	\$14,995.00

**SPORTS COMPLEX PICKUP TRUCK**

<u>BIDDER</u>	<u>VEHICLE</u>	<u>MILEAGE</u>	<u>YEAR</u>	<u>MODEL</u>	<u>BID PRICE</u>
Womack Sunshine	Ford	55,927	1997	F150 XLT	\$14,277.60
Womack Sunshine	Ford	82,101	1995	F150 XLT	\$ 9,427.30

Following discussion, Commissioner Bombardier moved to accept the bid from Womack Sunshine Ford/Mercury for a 1997 Ford F150 XLT, with 55,927 miles, for \$14,277.60 and Babe Houser Motor Co. Inc. for a 1999 Pontiac Bonneville, with 23,501 miles, for \$14,995.00. Commissioner Ferguson seconded. Motion carried.

There being no further business, Commissioner Bombardier moved to adjourn to January 26, 2000 at 4:00 p.m. Commissioner Ferguson seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JANUARY 26, 2000**

The governing body met in adjourned session on January 26, 2000, 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 Strecker.

Absent: Commissioner Ferguson.

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: Judith McKee, Burl Maley, Larry Remmenga, Wynndee Lee, Kirk Lowell, and Marty and Nancy Molter.

**APPROPRIATION ORDINANCE NO. 1** **APPROVED**

Appropriation Ordinance No. 1 was approved according to law.

**RESOLUTION NO. 2000-1310** **PASSED**

Director of Community Development Lee advised the Commission of the history at 304 Cedar and asked that it be declared an unsafe and dangerous structure. Following discussion the following Resolution was considered.

**A RESOLUTION TO DETERMINE AN UNSAFE AND DANGEROUS STRUCTURE AS AN IMMEDIATE HAZARD LOCATED AT 304 CEDAR IN THE CITY OF CONCORDIA, KANSAS.**

Thereupon, Commissioner Bombardier moved that said Resolution be adopted. Commissioner Strecker seconded the motion. 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:

Yes: Commissioners Bombardier and Strecker.

No: None

Thereupon, the Resolution having received a unanimous vote of the members of the governing body, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered 2000-1310 and was signed and approved by the Mayor and attested by the Clerk.

**BIDS ON THE UNSAFE AND DANGEROUS STRUCTURE(304 CEDAR)** **ACCEPTED**

Director of Community Development Lee advised the commission that the city received bids from the following, for the removal of the unsafe and dangerous structure at 304 Cedar. Ms. Lee asked that the commission to consider accepting the low bid from Koch Excavating in the amount of \$3100 and to refund the property owner the \$25 for the demolition permit.

**BIDS**

**REMOVAL OF FIRE DAMAGED REMAINS - 304 CEDAR**

<b><u>BIDDER</u></b>	<b><u>AMOUNT</u></b>
Koch Excavating, Inc.	\$3,100.00
John Cory	\$7,100.00
Stone Sand Co.	\$5,940.00
Smith Construction Services, Inc.	\$8,750.00
Victor Collins Const.	\$6,000.00
Nelson Construction, Inc.	\$27,500.00
Leland Snavelly	\$6,400.00
Frank Construction Company	\$19,750.00

Commissioner Strecker moved to accept the low bid from Koch Excavating in the amount of \$3100 for the abatement. Commissioner Bombardier seconded. Motion carried.

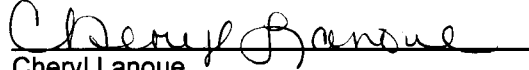
**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JANUARY 26, 2000, contd.**

**PUBLIC COMMENTS**

Kirk Lowell, Director of CloudCorp, wanted to thank city staff for moving forward on the South Development.

Nancy Molter stated that the Fire Department did an excellent job extinguishing the fire at 304 Cedar.

There being no further business, Commissioner Bombardier moved to adjourn the meeting to February 2, 2000 at 4:00 p.m. Commissioner Strecker seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 2, 2000**

The governing body met in regular session on February 2, 2000, 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 Ferguson.

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: Judith McKee, Joe Jindra, Burl Maley, Larry Remmenga, Wynndee Lee, Tom Fisher and Brad Lowell.

Minutes of the January 19, 2000 regular meeting and January 26, 2000 adjourned meeting were approved as written.

### **APPROPRIATION ORDINANCE NO. 2**

**APPROVED**

Appropriation Ordinance No. 2 was approved according to law.

### **ORDINANCE NO. 2000-2760(VACATING TWO EASEMENTS ON 22<sup>ND</sup> STREET)**

**PASSED**

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE PURSUANT TO K.S.A. 12-504 AND 12-505, AS AMENDED, VACATING TWO CERTAIN PUBLIC UTILITY EASEMENTS IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS.

Thereupon, Commissioner Ferguson moved that said Ordinance be adopted. Commissioner Strecker seconded the motion. 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:

Yes: Commissioners Bombardier, Strecker and Ferguson.

No: None

Thereupon, the Ordinance having received a unanimous vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2000-2760 and was signed and approved by the Mayor and attested by the Clerk.

### **DECLARATION FOR PARTICIPATION IN THE FIREFIGHTERS RELIEF FUND**

**APPROVED**

Staff recommended that the Commission authorize the Mayor and City Clerk to execute the State of Kansas Declaration of Participation in the Firefighters Relief Fund for 2000. Commissioner Ferguson moved to authorize the Mayor and City Clerk to execute the State of Kansas Declaration for Participation in the Firefighters Relief Fund for 2000. Commissioner Bombardier. Motion carried.

### **PUBLIC HEARING - FINAL PERFORMANCE URGENT NEED GRANT - NEAR LINCOLN STREET & SUPER 8 MOTEL**

**HELD**

Mayor Strecker opened the public hearing. City Manager Smith stated that the purpose of the hearing is to close out the storm sewer urgent need improvements made last year near Lincoln Street and the Super 8 Motel. Cost of the project is about \$119,000 with the grant being \$50,674.

City Manager Smith advised that Kansas Department of Housing and Commerce has audited the grant and there were no problems.

Mayor Strecker closed the public hearing.

### **RESOLUTION NO.2000-1311-KPL FRANCHISE**

**PASSED**

Thereupon, there was presented a Resolution entitled:

A RESOLUTION GIVING NOTICE THAT ON APRIL 5, 2000, THE GOVERNING BODY OF THE CITY OF CONCORDIA WILL CONSIDER AN ORDINANCE FOR THE PURPOSE OF INCREASING THE FRANCHISE FEE BY THE AMOUNT OF ONE PERCENT OF THE ANNUAL GROSS RECEIPTS FOR NATURAL GAS SOLD BY THE KANSAS POWER AND LIGHT COMPANY, OR ITS SUCCESSORS OR ASSIGNS, TO CONSUMERS LOCATED IN THE PRESENT OR FUTURE CORPORATE BOUNDARIES OF THE CITY OF CONCORDIA, EFFECTIVE FROM AND AFTER JANUARY 2, 2001.



**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 2, 2000, contd.**

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

Aye: Commissioners Bombardier, Strecker and Ferguson

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2000-1311 and was signed by the Mayor and attested by the Clerk.

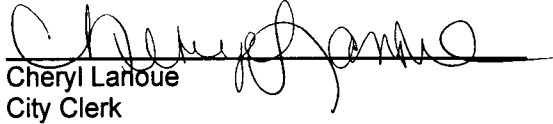
**COMMENTS**

City Attorney Uri advised the commission that the City had received a notice from the United States Bankruptcy Court regarding Philip and Eileen Kloster. Mr. Uri advised that the notice stated that at this time there appear to be no assets available from which payment may be made to unsecured creditors. Mr. Uri recommended the city not file a proof of claim until notice is received to do so.

City Manager Smith advised the commission of the following:

- The Governor's Prayer Breakfast is March 3 at 6:45 in Topeka
- Staff is working on alternative financing for the developments in the south
- Economic Evaluation Committee will meet February 17 in Washington, KS

There being no further business, Commissioner Ferguson moved to adjourn to February 16, 2000 at 4:00 p.m. Commissioner Bombardier seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 16, 2000

The governing body met in regular session on February 16, 2000, 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 Ferguson.

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: Judith McKee, Joe Jindra, Burl Maley, Larry Remmenga, Wynndee Lee, Tom Fisher, Charity Brown, Angela Champlin, Heather Trigg, Kirk Lowell and Brad Lowell.

Minutes of the February 2, 2000 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 3 APPROVED

Appropriation Ordinance No. 3 was approved according to law.

HOUSING AUTHORITY APPOINTMENTS

City Manager Smith advised the commission the housing authority felt it necessary to reappoint its members to have staggering terms. Commissioner Ferguson moved to reappoint Ray Callaway for a one (1) year term (to 12-31-2000); Chris Black for a two (2) year term (to 12-31-2001); Kim Wiesner for a three (3) year term (12-31-2002); Armand Balthazor for a three (3) year term (to 12-31-2002) and Connie Anderson for a four (4) year term (to 12-31-2003). Commissioner Bombardier seconded. Motion carried.

RESOLUTION NO.2000-1312 (TERRY CYRE) NUISANCE ABATEMENT

Mayor Strecker stated at this time a hearing before the Governing Body was convened as prescribed under Section 15-6 and 15-7, Code of the City of Concordia to consider whether a nuisance exists at the following location:

709 E. 6TH

No one was present to represent the property owner.

Commissioner Ferguson moved and seconded by Commissioner Bombardier to approve Resolution No. 2000-1312 for an additional five (5) days. Motion carried.

REQUEST TO USE CITY PARK  
MERRY-GO-ROUND PRESCHOOL, INC. APPROVED

Charity Brown advised the commission that Merry-Go-Round Preschool, Inc. is requesting to hold a bake sale near the west shelter house, Saturday, April 22, 2000. This is the same day as the Optimist's Easter Egg Hunt. Commissioner Ferguson moved to allow Merry-Go-Round Preschool, Inc. to hold a bake sale near the west shelter house in the City Park. Commissioner Bombardier seconded. Motion carried.

VEHICLE BID AWARDS - POLICE, PUBLIC WORKS,  
PUBLIC GROUNDS AND PUBLIC UTILITIES

City Manager Smith advised the commission that the city received the following bids from Womack Sunshine Ford and Babe Houser Motor for vehicles to be used in the Police Department, Public Works, Public Grounds and Public Utilities.

	<u>PUBLIC WORKS</u>	<u>PUBLIC UTILITIES</u>	<u>PUBLIC GROUNDS</u>	<u>POLICE</u>
WOMACK	\$29983 2-ton \$19651 1/2 ton	\$19106.40*	\$17042.00	unable to bid
HOUSER	\$32597 2-ton \$18702 1/2-ton	unable to bid	unable to bid	\$18946.00

Following discussion, Commissioner Bombardier moved to accept the bids from Womack Sunshine Ford for the Public Works 2-ton truck in the amount of \$29,983.00; Public Utilities 1-ton truck in the amount of \$19,106.40; and Public Grounds 1-ton truck in the amount of \$17,042.00 and from Babe Houser Motor for the 1/2-ton truck for Public Works in the amount of \$18,702.00 and a car for the Police Department in the amount of \$18,946.00. Commissioner Strecker seconded. Motion carried.

# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 16, 2000, contd.**

## **ORDINANCE NO. 2000-2761 SITE PLAN REVIEW AMEND ZONING ORDINANCE**

APPROVED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF CONCORDIA, KANSAS AS ADOPTED BY ORDINANCE 1829 OF THE CITY OF CONCORDIA, BY ADDING A NEW ARTICLE, TO BE IDENTIFIED AS ARTICLE XXIII-A, SITE PLAN REVIEW.

Thereupon, Commissioner Ferguson moved that said Ordinance be adopted. Commissioner Bombardier seconded the motion. 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:

Yes: Commissioners Bombardier, Strecker and Ferguson.

No: None

Thereupon, the Ordinance having received a unanimous vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2000-2761 and was signed and approved by the Mayor and attested by the Clerk.

## **ORDINANCE NO. 2000-2762 AMEND ZONING ORDINANCE SELF-STORAGE**

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE AMENDING SECTION 3, ARTICLE XIV, SECTION 3, ARTICLE XIII, AND SECTION 3, ARTICLE XVI OF THE CITY OF CONCORDIA, KANSAS ZONING

REGULATIONS AS ADOPTED BY ORDINANCE NO. 1829 OF THE CITY OF CONCORDIA, KANSAS.

Thereupon, Commissioner Bombardier moved that said Ordinance be adopted. Commissioner Strecker seconded the motion. 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:

Yes: Commissioners Bombardier, Strecker and Ferguson.

No: None

Thereupon, the Ordinance having received a unanimous vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2000-2762 and was signed and approved by the Mayor and attested by the Clerk.

## **SOUTH DEVELOPMENT PROJECT - UPDATE**

City Manager Smith briefed the commission on the South Development Project:

1. On December 1, 1999 the City Commission directed staff to evaluate the City's options surrounding the new project and present information back to them.
2. The City began to evaluate the following:
  - The extension of infrastructure (cost estimates, site development and future benefit.
  - Effects of new development on adjacent properties.
  - Compliance with Comprehensive Plan and Subdivision Regulations.
  - Future development projects.
  - Alternatives for financing.
3. The team to conduct the evaluation was the following:
  - City Staff, including the city engineer and city attorney.
  - CloudCorp
  - David MacGillivray, Springsted Corporation
  - Joe Norton, Gilmore & Bell
  - Jack Messer, HWS
  - Planning Commission

# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 16, 2000, contd.**

## **4. Deadlines for required actions:**

- March 1 – Commitment that the city can and will support infrastructure and method of financing. Commitment for proper zoning and plat approval.
- October 15 – Infrastructure in and development project complete.

City Manager Smith ask that at the conclusion of today's meeting that the Commission adjourn to February 23, 2000 at 4:00 p.m. to have presentation on the following:

- The Comprehensive view of infrastructure options and alternatives.
- Financing options and the effect on future development.
- Timetables for project completion and infrastructure installation.
- Options for fast-tracking the project to meet the development needs.

## **EXECUTIVE SESSION – ATTORNEY CLIENT PRIVILEGES**

At this time Commissioner Ferguson moved that the commission recess into executive session for fifteen (15) minutes to discuss attorney client privileges and invited City Attorney Uri and City Manager Smith. Commissioner Bombardier seconded. Motion carried. Time: 4:30p.m.

The commission reconvened at 4:45 p.m.

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

## **RESOLUTION NO. 2000-1313(HALEY CLAIM)**

**APPROVED**

Thereupon, there was presented a Resolution entitled:

A RESOLUTION THAT THE CLAIM OF ALLEGING THAT ON OR ABOUT JULY 29, 1999, CITY EMPLOYEES ASSISTED LINDSEY HALEY WHEN SHE WAS OBSERVED LYING UNCONSCIOUS IN THE CONCORDIA MUNICIPAL SWIMMING POOL, AND THAT AS A RESULT, RUSS E. HALEY, SUSAN HALEY AND LINDSEY HALE CLAIM TO HAVE BEEN DAMAGED IN THE AMOUNT OF \$500,000 EACH, IS DENIED.

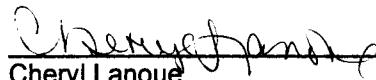
Thereupon, Commissioner Ferguson moved that said Resolution be adopted. Commissioner Bombardier seconded the motion. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the City Commission, being as follows:

Aye: Commissioners Bombardier, Strecker and Ferguson

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2000-1313 and was signed by the Mayor and attested by the Clerk.

There being no further business, Commissioner Strecker moved to adjourn to February 23, 2000 at 4:00 p.m. Commissioner Ferguson seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

## MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD FEBRUARY 23, 2000

The governing body met in adjourned session on February 23, 2000, 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, Ferguson and Strecker.

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: Judith McKee, Burl Maley, Wynndee Lee, Kirk Lowell, Joe Jindra, Brad Lowell, Roberta Lowrey, Ken Johnson, David Lee, Armand Balthazor, Tom Simoneau, Tom Fisher, Dave Swenson, James Nease, Jim Douglass, Dan Bartz, Beldon Blosser, Scott Coppoc, Jim Coppoc, Roy Reif, Art Slaughter, Richard Lowrey, Phil Gilliland, Shirley Moynihan, Greg Hattan, Kevin Cowan, Larry Vernon, Eric Johnson, David Norlin and Dale Ferguson.

### SOUTH DEVELOPMENT PRESENTATION

City Manager Smith advised that the staff has been working on the analysis to support the infrastructure extensions to a project referred to as South Development. Beldon Blosser currently owns the proposed relocation site for Wal-Mart.

Mr. Smith stated that the community should capitalize on the positive effects of the recently completed US 81 expressway corridor.

City Manager Smith advised the commission of the schedule that was provided to us by the developer and Wal-Mart as follows:

February 23	Development Process Acceptance and Authority to Initiate Project
March 1	Land closing agreement between Mr. Blosser and Wal-Mart
October 15	Project date for opening the relocated Wal-Mart store

Mr. Smith recapped the Tax Increment Financing process and steps.

Wynndee Lee, Director of Community Development, presented the commission with the map of the redevelopment district, which identified the downtown, 81 expressway and the south end of town and the redevelopment projects with an estimated cost of \$7,031,000 of which \$2,796,000 would be for the south development.

Kirk Lowell, CloudCorp, went through the economic impact, population and the pull factors for the city, county and surrounding communities.

Kevin Cowan, Gilmore and Bell, advised the commission of the estimated figures for the TIF district as follows:

- Tax revenue – City only – property and sales tax would support a bond issue of \$3,150,000 for 20 years.
- Property Tax Revenues from the City, County and a portion of School District would support a bond issue of \$2,490,000 for 20 years.
- TIF District with all property and sales tax revenue would support a bond issue of \$4,750,000 for 20 years.

Mr. Cowan stated that if the city wanted to commit GO bond financing they could.

Mr. Cowan then pointed out that there are some conditions that should occur before the City exercises the authority by the Resolution.

- a. Execution of a development agreement relating to the Retail Development by and between the City and the developer, or a related party.
- b. Approval by applicable governmental bodies of a final plat, a site plan and appropriate zoning, and the issuance of appropriate building permit(s), for the Retail Development, and
- c. Approval by the Kansas Department of Transportation of appropriate plans for access from the Retail Development site to U.S. Highway 81.

Mr. Cowan advised the commission of a few changes in the Ordinances and Resolutions. The first is in the Ordinance authorizing sewer improvements Section 1. It should read "In accordance with plans and specifications which will be developed and prepared by a consulting engineer, which plans and specifications will be on file in the Office of the City Clerk and are hereby approved by the governing body....." The second change in the Ordinance designating certain streets as main trafficways, Section 1. Striking Broadway Street, from 21<sup>st</sup> Street to College Drive and completing the section on Frontage Road on the West Side of U.S. Highway 81, from College Drive extending South 620 feet. Mr. Cowan also requested that the commission

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD FEBRUARY 23, 2000, contd.**

consider changing the name of Frontage Road. On the Resolution authorizing the improvement or reimprovement of certain main trafficways under Section 1. Strike Broadway Street, from 21<sup>st</sup> Street to College Drive and completing the section on Frontage Road on the West Side of U.S. Highway 81, from College Drive extending South 620 feet. Section 2. Changing \$2,164,965.16 to \$1,837,723.13.

**PUBLIC COMMENTS**

Greg Hattan stated that other options of financing should be looked into, like county sales tax. Mr. Hattan stated that if the city issues a general obligation bond or uses the sales tax and property tax from the city only on a TIF bond, for the infrastructure, there would not be room in the city's general operation budget for growth and development.

David Norlin stated that the city should be fostering community development that will benefit North Central Kansas.

**ORDINANCE NO. 2000-2763(SEWER IMPROVEMENT SOUTH DEVELOPMENT)** **APPROVED**

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE OF THE CITY OF CONCORDIA, KANSAS, AUTHORIZING AND PROVIDING FOR THE CONSTRUCTION OF MAIN INTERCEPTOR SEWER IMPROVEMENTS IN THE CITY; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.

Thereupon, Commissioner Ferguson 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 Strecker, Bombardier and Ferguson.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2000-2763 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2000-1314(WATER IMPROVEMENT SOUTH DEVELOPMENT)** **APPROVED**

Thereupon, there was presented a Resolution entitled:

A RESOLUTION OF THE CITY OF CONCORDIA, KANSAS, AUTHORIZING IMPROVEMENTS IN THE CITY PUBLIC WATER SUPPLY SYSTEM; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.

Thereupon, Commissioner Ferguson 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 passage of said Resolution was carried by the vote of the governing body, the vote being as follows:

Aye: Commissioner Strecker, Bombardier and Ferguson.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2000-1314 and was signed by the Mayor and attested by the Clerk.

**ORDINANCE NO. 2000-2764(DESIGNATING MAIN TRAFFICWAY)** **APPROVED**

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE DESIGNATING CERTAIN STREETS WITHIN THE CITY OF CONCORDIA, KANSAS, AS MAIN TRAFFICWAYS.

Thereupon, Commissioner Ferguson 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 Strecker, Bombardier and Ferguson.

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD FEBRUARY 23, 2000, contd.**

Nay: None.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2000-2764 and was signed by the Mayor and attested by the Clerk and was directed to be published one time in the official city newspaper.

**RESOLUTION NO. 2000-1315(STREET IMPROVEMENT SOUTH DEVELOPMENT)      APPROVED**

Thereupon, there was presented a Resolution entitled:

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

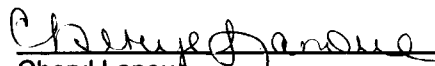
Thereupon, Commissioner Ferguson moved that said Resolution be adopted. The motion was seconded by Commissioner Strecker. Said Resolution was duly read and considered, and upon being put, the motion for the passage of said Resolution was carried by the vote of the governing body, the vote being as follows:

Aye: Commissioner Strecker, Bombardier and Ferguson.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2000-1315 and was signed by the Mayor and attested by the Clerk.

There being no further business, Commissioner Bombardier moved to adjourn the meeting to March 1, 2000 at 4:00 p.m. Commissioner Ferguson seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 1, 2000**

The governing body met in regular session on March 1, 2000, 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 Ferguson.

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: Judith McKee, Joe Jindra, Burl Maley, Larry Remmenga, Wynndee Lee, Kirk Lowell, Tom Fisher and Brad Lowell.

Minutes of the February 16, 2000 regular meeting and February 23, 2000 adjourned meeting were approved as written.

## **APPROPRIATION ORDINANCE NO. 4**

**APPROVED**

Appropriation Ordinance No. 4 was approved according to law.

## **PROCLAMATION – ARBOR DAY**

Mayor Strecker read the proclamation and declared March 24, 2000 as Arbor Day.

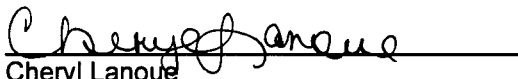
City Manager Smith asked the commission if they would like to have a study session to review two (2) plats and four (4) public hearing items from the Planning Commission Meeting. All commissioners agreed to March 7, 2000, at 4:00 p.m. in the City Commission Room.

## **PUBLIC COMMENTS**

Judith McKee, Director of Public Grounds, advised the commission that the City would be planting 71 trees, 35 trees at the Sports Complex, 18 trees at the Airport Park and 18 trees at the Treatment Plant. The Boy Scout Troop 31 and Lions Club would be helping plant these trees on March 25 at the Sports Complex and Airport Park. Ms. McKee also advised that the City was named a "Tree City USA" and the presentation would be April 25 in Manhattan, Kansas.

Commissioner Ferguson stated that there would be a study session on March 7 at 4:00 p.m. in the City Commission Room.

There being no further business, Commissioner Ferguson moved to adjourn to March 15, 2000 at 4:00 p.m. Commissioner Bombardier seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)



## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 15, 2000**

The governing body met in regular session on March 15, 2000, 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, Ferguson and Strecker.

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, Larry Remmenga, Kirk Lowell, Tom Fisher, Burl Maley, Beldon Blosser, Bill Spillman, Jim Spillman, Dave Swenson, Theresa Bonebrake, Roberta Lowrey, Judith McKee, Ken Johnson, David Lee, J.T. Klaus, Jim Lowell and Joe Jindra.

Minutes of the March 1, 2000 regular meeting were approved as written.

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

**APPROVED**

Appropriation Ordinance No. 5 was approved according to law.

### **APPOINTMENTS - RECREATION COMMISSION**

**JANET EUBANKS & JEFF GUMM**

City Manager Smith advised the commission that the Recreation Commission has two terms that need to be filled. Staff contacted Janet Eubanks, Jeff Gumm, Chris Saunders, Mike Bulthaupt, Stacy Hinman and Denise Baumann and all were willing to serve on the commission. The Recreation Commission recommended Janet Eubanks and Jeff Gumm to be appointed.

Commissioner Ferguson moved to appoint Janet Eubanks and Jeff Gumm to four-year terms (1-31-00 to 1-31-03). Commissioner Strecker seconded. Motion carried.

### **PROCLAMATION – FAIR HOUSING MONTH**

Mayor Strecker read the proclamation and declared the month of April "Fair Housing Month".

### **ORDINANCE NO. 2000-2765- ASSESSMENT LOT 3, BLOCK 135**

**JIM & DEANNA CONN**

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF AND LIABLE FOR SPECIAL ASSESSMENT THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF: REMOVAL OF ALL DEBRIS ON PROPERTY AND MAKING THE PROPERTY SAFE.

Thereupon, Commissioner Ferguson 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 Ferguson

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2000-2765 and was signed by the Mayor and attested by the Clerk.

### **ORDINANCE NO. 2000-2766- AMEND ZONING ORDINANCE FUTURE LAND USE MAP**

**PASSED**

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN.

Thereupon, Commissioner Ferguson 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 Ferguson

Nay: None.

# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 15, 2000,contd.**

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2000-2766 and was signed by the Mayor and attested by the Clerk.

## **ORDINANCE NO. 2000-2767- AMEND ZONING ORDINANCE USE REGULATIONS - DEPARTMENT STORES**

**PASSED**

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE AMENDING SECTION 3, ARTICLE XIII OF THE CITY OF CONCORDIA, KANSAS ZONING REGULATIONS AS ADOPTED BY ORDINANCE 1829 OF THE CITY OF CONCORDIA, KANSAS.

Thereupon, Commissioner Bombardier moved that said Ordinance be adopted. The motion was seconded by Commissioner Ferguson. 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 Ferguson

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2000-2767 and was signed by the Mayor and attested by the Clerk.

## **ORDINANCE NO. 2000-2768-(REZONING BLOSSER)**

**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; ORDERING THE OFFICIAL CITY ZONING DISTRICT MAP TO BE CHANGED TO REFLECT SUCH AMENDMENTS; AND AMENDING SECTION 2 OF ARTICLE IV OF THE ZONING ORDINANCE FOR THE CITY OF CONCORDIA, KANSAS.

Thereupon, Commissioner Ferguson 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 Ferguson

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2000-2768 and was signed by the Mayor and attested by the Clerk.

## **ORDINANCE NO. 2000-2769 AMEND ZONING ORDINANCE FENCES**

**PASSED**

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE AMENDING ARTICLE XXIX OF THE CITY OF CONCORDIA, KANSAS ZONING ORDINANCE AS ADOPTED BY ORDINANCE 1829 OF THE CITY OF CONCORDIA, KANSAS.

Thereupon, Commissioner Ferguson 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 Ferguson

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2000-2769 and was signed by the Mayor and attested by the Clerk.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 15, 2000,contd.****FINAL PLAT – BLOSSER 2ND ADDITION****ACCEPTED**

Wynndee Lee presented the Blosser 2<sup>nd</sup> Addition Plat and advised the commission that the Planning Commission recommended the final plat be approved with several conditions. Mr. David Swenson presented an updated final plat, which staff had not reviewed. Ms. Lee went through the conditions and stated that all conditions had been met except for the following:

- The plat required a plan for turn around for emergency and fire vehicles.
- The plat's note number two (2) was incorrect.

Ms. Lee advised the commission that she had received a letter from Mr. Blosser's attorney that stated, Mr. Blosser is willing to authorize city emergency vehicles, including fire trucks, to go upon his land as necessary in order to make a turn around. This would include Block "B" Lot 2 (formerly Block C, Lot 1), and the dedicated right-of-way at the east end of existing 21<sup>st</sup> Street. Mr. Blosser also indicated in the letter that he believed that emergency vehicles will be able to use the soon to be completed Pawnee Mental Health parking lot for turn around. In addition, the Marquis Development Agreement gave the City the right to enter as needed. Ms. Lee advised the commission that the city should have an agreement to that effect with parties concerned.

Dave Swenson stated that we have all been working hard to get conditions done on the plat and felt that the commission should consider accepting it as presented. Ms. Lee advised she would recommend rejecting the plat, if the city could only consider accepting the plat as presented, with the incorrect note number 2.

Following discussion Mr. Swenson stated that the note number two (2) was incorrect and would be changed by the developer. Both parties agreed to the following notes on the plat:

1. Provision for the construction of streets, sewers, and water lines to service subdivision lots shall be by negotiated agreement between the lot owner and the City of Concordia, and except to the extent as provided in the negotiated agreement, shall not be the responsibility of the City.
2. Lot 2 Block "B", Lots 1 & 2 Block "C" shall not be developed until construction and installation of the portion of the 21<sup>st</sup> Street adjacent to the lot or lots in question and the water and sewer line needed to serve the lot or lots have been provided for and approved by the City of Concordia.
3. The building set back lines for Block "A", Lot 1 shall be determined by Exception to the Concordia Zoning Ordinance as allowed by the Planning Commission in it's consideration of the Site Plan. Exception to be in the amount of the width of the additional dedicated right of way.
4. 12 foot, Temporary Construction Easements adjacent to all easements, to be vacated after installation of all infrastructure and utilities.
5. All property corners to be set upon installation of all infrastructures.

Commissioner Bombardier moved to accept the Blosser 2<sup>nd</sup> Addition plat with amended as above note number two (2). Commissioner Ferguson seconded. Motion carried.

**FINAL PLAT – BLOSSER SKYLINE ADDITION****TABLED**

Wynndee Lee advised that Beldon Blosser is seeking approval of the final plat for the Blosser Skyline Addition.

Ms. Lee advised the Planning Commission considered the final plat at the February 22, 2000 meeting. The Commission approved the plat by a unanimous vote with several conditions. As of today we have not received the plat with the changes. Ms. Lee recommended that the commission table this item until April 5, 2000,

Commissioner Ferguson moved to table the plat for Blosser Skyline Addition in the City of Concordia, Kansas. Commissioner Bombardier seconded. Motion carried.

**MARQUIS PLACE OF CONCORDIA, L.L.C.  
DEVELOPMENT AGREEMENT****ACCEPTED**

City Manager Smith advised the commission the Marquis Place of Concordia would be an assisted living housing development on 21st Street.

Brian Warren, President of Andover Health Management, advised the commission of the intentions of Andover Health Management. Marquis Place of Concordia would be a 33 bed assisted living facility, with three (3) meals provided daily, medication aids and activities.

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 15, 2000,contd.**

Kirk Lowell, Director of CloudCorp, presented the Marquis Place of Concordia Development Agreement to the City Commission. Mr. Lowell advised that the Developer proposes that the City support the following:

- Issuance of certain Industrial Revenue Bonds in an aggregate principle amount of not to exceed two million five hundred thousand dollars (\$2,500,000) for the purpose of qualified expenditures, as prescribed by State law, including, but not limited to, purchasing, acquiring, constructing and equipping an assisted living facility located in the City of Concordia.
- Passage of a ten (10) year, one hundred percent (100%) ad valorem property tax abatement for the Marquis Place development.
- Approval of the Blosser Second Addition plat with conditions.
- Vacation of Washington Street easements between 20<sup>th</sup> Street and 21<sup>st</sup> Street.
- Authorize Improvement District fifteen (15) year financing in the amount of \$54,657.50 for the improvement of the south side of 20<sup>th</sup> Street between Washington and State Streets and the extension of an eight (8) inch water main from the northwest corner of the Washington Street and 20<sup>th</sup> Street intersection south to a City utility easement located on the south side of 20<sup>th</sup> Street near the Marquis Place building site.
- City-at-Large funding in the amount of \$3,682.50 for the improvement of the southeast one fourth of the State Street and 20<sup>th</sup> Street Intersection.

A Cost-Benefit Analysis of the Marquis Place project completed by J. T. Klaus, Attorney at Law with Triplett, Woolf & Garretson, L.L.C. of Wichita, Kansas showed a net benefit of \$244,101 to the City of Concordia over a ten-year period with an average annual rate of return of 163.37% over the next ten years on the City's investment of taxes abated and incentives offered. In this ten-year period, it is also projected that Marquis Place will generate an \$18,084,498 increase in local personal income, \$11,754,924 increase in local retail sales and increase the community's property tax base by \$3,443,852. The Analysis computer model was commissioned by the Kansas Legislature and developed by the League of Kansas Municipalities.

Mr. Lowell stated that Section 8 (Developer agrees to retain, and cover all costs, of a third party Construction Inspector to oversee all construction of City public infrastructure performed by the Developer. The City shall select the Construction Inspector.) was added to the previously submitted Development Agreement after. Commissioner Strecker asked who would inspect the project for the City. City Manager Smith advised that we would have an inspector, paid by the developer. Mr. Lowell stated that he would add that to the Development Agreement in Section 8.5.

J. T. Klaus, Triplett, Woolf & Garretson, L.L.C., went through the cost-benefit analysis and the Resolution of Intent for the Industrial Revenue Bonds.

Commissioner Strecker moved to accept the Development Agreement with Marquis Place, with the addition of Section 8.5. Commissioner Ferguson seconded. Motion carried.

### **RESOLUTION NO. 2000-1316(MARQUIS PLACE OF CONCORDIA IRB'S)      PASSED**

Thereupon, there was presented a Resolution entitled:

A RESOLUTION INDICATING THE INTENT OF THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS, TO ISSUE CERTAIN INDUSTRIAL REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) FOR THE PURPOSE OF PURCHASING, ACQUIRING, CONSTRUCTING AND EQUIPPING AN ASSISTED LIVING FACILITY LOCATED IN THE CITY OF CONCORDIA, KANSAS.

Thereupon, the Resolution was considered and discussed, and on motion by Commissioner Ferguson, seconded by Commissioner Strecker, the Resolution was adopted by vote of the majority of all members present.

Thereupon, the Resolution, having been adopted by a majority vote of the members of the governing body, it was given No. 2000-1316, and was directed to be signed by the Mayor and attested by the City Clerk.

### **DEVELOPMENT AGREEMENT-WALMART      TABLED**

City Manager Smith advised the commission that WalMart Development Agreement was still in the hands of the Wal-Mart attorneys and would recommend that the commission table it until the next regular commission meeting. Commissioner Bombardier moved to table the Wal-Mart Development Agreement. Commissioner Strecker seconded. Motion carried.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 15, 2000, contd.**

RESOLUTION NO. 2000-1317 - STATE DEMAND TRANSFER

APPROVED

Thereupon, there was presented a Resolution entitled:

A RESOLUTION URGING THE KANSAS LEGISLATURE TO RESTORE FUNDS TO THE STATE GENERAL FUND BUDGET TO FINANCE THE FY 2001 DEMAND TRANSFER STATE AID PROGRAMS FROM THE STATE GENERAL FUND TO COUNTIES AND OTHER UNITS OF LOCAL GOVERNMENT, AND URGING CONSISTENCY IN STATE MUNICIPAL BUDGET LAWS THAT ALLOW LOCAL GOVERNMENT BUDGETS TO BE FLEXIBLE ACCORDING TO NEED AND COMMUNITY GROWTH.

Thereupon, Commissioner Ferguson 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, Strecker and Ferguson.

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. 2000-1317 and was signed by the Mayor and attested by the Clerk.

ANNUAL OPERATIONS AND MAINTENANCE ASSURANCE STATEMENT

APPROVED

Each year the State of Kansas Department of Wildlife & Parks requests an "Annual Operation and Maintenance Assurance Statement". City Manager Smith stated that certification was an annual agreement that we have complied with the conditions. Following discussion, Commissioner Ferguson moved to authorize the Mayor to sign the Annual Operation and Maintenance Assurance Statement. Commissioner Bombardier seconded. Motion carried.

RECREATION COMMISSION BYLAWS

ACCEPTED

City Manager Smith advised the commission the Recreation Commission approved the Bylaws for the Recreation Commission at their February 7, 2000 meeting. Commissioner Strecker moved to accept the Recreation Commission Bylaws. Commissioner Bombardier seconded. Motion carried.

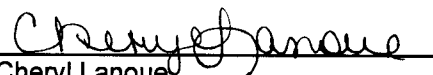
EASEMENT - DALE J. DENEALT, II

ACCEPTED

Larry Remmenga, Director of Utilities, advised the commission that Dale Deneault, II would be providing permanent easement on 11th Street for the purpose of permanent water line and water meter easement. Commissioner Bombardier moved to accept the easement from Dale J. Deneault, II for \$1.00. Commissioner Strecker seconded. Motion carried.

There being no further business, Commissioner Ferguson moved to adjourn the meeting to the next regular city commission meeting (April 5, 2000). Commissioner Strecker seconded. Motion carried.

(Seal)

  
Cheryl Lanoue  
City Clerk

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 5, 2000**

The governing body met in regular session on April 5, 2000, at 4:00 p.m. in the City Commission Room in the City Hall, with the Mayor Joe Strecker presiding and the following members present: Commissioner Bombardier.

Absent: Commissioner Ferguson

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: Larry Remmenga, Kirk Lowell, Tom Fisher, Burl Maley, Beldon Blosser, Bill Spillman, Peggy Livinggood, Jim Spillman, Dave Swenson, Judith McKee, Ken Johnson, J.T. Klaus, Bruce Harris, Kansas Gas Service, Brain Warren, George Ganstrom, Jim Nachtigal, Brad Lowell and Joe Jindra.

Minutes of the March 15, 2000 regular meeting were approved as written.

### **APPROPRIATION ORDINANCE NO. 6**

**APPROVED**

Appropriation Ordinance No. 6 was approved according to law.

### **DEVELOPMENT AGREEMENT-WALMART**

**TABLED**

Commissioner Bombardier moved to table the Wal-Mart Development Agreement until May 3, 2000. Commissioner Strecker seconded. Motion carried.

### **FINAL PLAT – BLOSSER SKYLINE ADDITION**

**TABLED**

Wynndee Lee advised that the final plat for Blosser Skyline Addition is still pending. The developer is still working on resolving the conditions placed on the plat by the Planning Commission. The City Commission must accept or refuse the dedication of land within thirty (30) days after the first meeting of the City Commission, following the date of submission of the plat to the City Clerk from the Planning Commission. The City Commission may defer action for an additional thirty (30) days to allow modifications that comply with the requirements established by the City Commission.

Following discussion, Commissioner Strecker moved to table the final plat for Blosser Skyline Addition until May 3, 2000, with the following conditions: 1. The developer is required to comply with the Planning Commission conditions as stated and 2. To change the name of Frontage Road. Commissioner Bombardier seconded. Motion carried.

### **PUBLIC HEARING - MARQUIS PLACE TAX ABATEMENT**

**HELD**

Mayor Strecker opened the public hearing.

Mayor Strecker stated that the purpose of the public hearing was to provide the public an opportunity to comment about the tax abatement of the Marquis Place project. In accordance with a notice published on March 27, 2000, in *The Blade-Empire*, and a notice to the County Clerk of Cloud County, Kansas; the Clerk of the Board of Education of Unified School District #333 and Cloud County Community College mailed via United States first class mail, on March 24, 2000, a public hearing was convened by the governing body relating to the granting of a tax exemption for property financed and relating to the issuance by the City of Concordia, Kansas, of its Industrial Revenue Bonds, (Marquis Place of Concordia, L.L.C.) in the principal amount of not to exceed \$2,500,000 (the "Bonds") for the

purpose of purchasing, acquiring, constructing and equipping an assisted living facility to be located in the City of Concordia, Kansas (the "Project").

All interested persons were afforded the opportunity to present their views on the granting of the tax exemption for the Project and following a discussion of the Cost Benefit Analysis dated March 14, 2000, which Cost Benefit Analysis included an analysis of the proposed effect on state revenues with respect to the granting of an ad valorem property tax exemption for the Project, the public hearing was closed.

There were no public comments.

### **RESOLUTION NO. 2000-1318 - MARQUIS PLACE TAX ABATEMENT**

**APPROVED**

Thereupon, there was presented a Resolution entitled:

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANAS  
APPROVING AN AD VALOREM PROPERTY TAX EXEMPTION FOR PROPERTY  
ACQUIRED WITH THE PROCEEDS OF CERTAIN INDUSTRIAL REVENUE BONDS.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 5, 2000, contd.**

Thereupon, the Resolution was considered and discussed, and on motion of Commissioner Bombardier, seconded by Commissioner Strecker, the Resolution was adopted by vote of the majority of all members present.

Thereupon, the Resolution, having been adopted by a majority vote of the members of the governing body, it was given No. 2000-1318, and was directed to be signed by the Mayor and attested by the City Clerk.

**PUBLIC HEARING**  
**IRB - MARQUIS PLACE**

**HELD**

Mayor Strecker opened the public hearing.

Mayor Strecker stated that the purpose of the public hearing was to provide the public an opportunity to comment about the IRB issue for the Marquis Place project.

There were no public comments.

Mayor Strecker closed the public hearing.

**RESOLUTION NO. 2000- 1319 - WAIVER OF GAAP**

**ACCEPTED**

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 ACPTED ACCOUNTING PRINCIPLES.

Thereupon, Commissioner Strecker 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 City Commission, being as follows:

Aye: Commissioners Bombardier and Strecker.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2000-1319 and was signed by the Mayor and attested by the Clerk.

**TEMPORARY EASEMENT**  
**GEORGE SCHOENBRUNN - WESTVIEW**

**ACCEPTED**

Stan Smith, City Manager advised the commission a temporary construction easement was needed. Commissioner Strecker moved to accept the temporary easement from George and Thelma Schoenbrunn. Commissioner Bombardier seconded. Motion carried.

**EASEMENT**  
**GEORGE SCHOENBRUNN - WESTVIEW**

**ACCEPTED**

Stan Smith, City Manager advised the commission a permanent utility easement was needed for construction. Commissioner Strecker moved to accept the permanent utility easement from George and Thelma Schoenbrunn. Commissioner Bombardier seconded. Motion carried.

**EASEMENT**  
**SUNSET HOME - WESTVIEW**

**ACCEPTED**

Stan Smith, City Manager advised the commission a permanent utility easement was needed. Commissioner Bombardier moved to accept the permanent utility easement from Sunset Home, Inc. Commissioner Strecker seconded. Motion carried.

**ORDINANCE NO. 2000-2770- 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 1999, WITH CERTAIN OMISSIONS, AMENDMENTS, AND ADDITIONAL PROVISIONS; PROVIDING CERTAIN

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 5, 2000, contd.**

PENALTIES AND REPEALING EXISTING SECTIONS 23-1 THROUGH 23-8, INCLUSIVE, OF THE CONCORDIA CODE; AND AMENDING THE CONCORDIA CODE, BY ADDING SECTIONS NUMBERED 23-1 THROUGH 23-8, BOTH INCLUSIVE.

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: Commissioner 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. 2000-2770 and was signed by the Mayor and attested by the clerk.

**ORDINANCE NO. 2000-2771- 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 1999, WITH CERTAIN OMISSIONS, AMENDMENTS AND ADDITIONAL PROVISIONS; PROVIDING CERTAIN PENALTIES; REPEALING EXISTING SECTION 15-100 OF THE CONCORDIA CODE; AND AMENDING THE CONCORDIA CODE, BY ADDING A SECTION NUMBERED 15-100.

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: Commissioner 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. 2000-2771 and was signed by the Mayor and attested by the clerk.

**RESOLUTION NO. 2000-1320 - 440 W. 7TH  
BUCKNER PROPERTY - DANGEROUS STRUCTURE**

**APPROVED**

Thereupon, there was presented a Resolution entitled:

A RESOLUTION SETTING THE PUBLIC HEARING DATE AND TIME TO CONSIDER WHETHER A STRUCTURE SHOULD BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED. HEARING DATE IS SET FOR MAY 17, 2000 AT 4:00 P.M. AT CITY HALL, CITY OF CONCORDIA, KANSAS.

Thereupon, the Resolution was considered and discussed, and on motion by Commissioner Strecker, seconded by Commissioner Bombardier, the Resolution was adopted by vote of the majority of all members present.

Thereupon, the Resolution, having been adopted by a majority vote of the members of the governing body, it was given No. 2000-1320, and was directed to be signed by the Mayor and attested by the City Clerk.

**RESOLUTION NO. 2000-1321 - 303 E 6TH  
MEYER PROPERTY - DANGEROUS STRUCTURE**

**APPROVED**

Thereupon, there was presented a Resolution entitled:

A RESOLUTION SETTING THE PUBLIC HEARING DATE AND TIME TO CONSIDER WHETHER A STRUCTURE SHOULD BE CONDEMNED AND ORDERED REPAIRED OR



**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 5, 2000, contd.**

DEMOLISHED. HEARING DATE IS SET FOR MAY 17, 2000 AT 4:00 P.M. AT CITY HALL, CITY OF CONCORDIA, KANSAS.

Thereupon, the Resolution was considered and discussed, and on motion by Commissioner Strecker, seconded by Commissioner Bombardier, the Resolution was adopted by vote of the majority of all members present.

Thereupon, the Resolution, having been adopted by a majority vote of the members of the governing body, it was given No. 2000-1321, and was directed to be signed by the Mayor and attested by the City Clerk.

**KP&L FRANCHISE UPDATE**

City Attorney Uri advised the commission that the Commission had passed a resolution to consider an increase in the KP&L franchise fee. Mr. Uri advised that there had been some items that were brought to the City attention, like other vendors could be providing gas to this area and not receiving a franchise fee. We would like to look at this and other options and then present it back to you. Following discussion, Commissioner Strecker moved to table the KP&L Franchise to July 19, 2000. Commissioner Bombardier seconded. Motion carried.

**AIRPORT POND PRESENTATION BY LANDPLAN**

Judith McKee, Director of Public Grounds, advised the commission about the re-development of Airport Park Pond as well as development of the area with a trail system.

Peggy Livinggood, Landplan Engineering, advised the commission about the TEA – 21 Application. Ms. Livinggood advised the commission that TEA – 21 Applications be for Historic, Scenic and Environmental and Pedestrian and Bicycle Facilities Categories. The Scope of this project would be for the Airport Park Pond and a Bicycle Trail System. Ms. Livinggood stated that the Airport Park Pond Project would entail renovation of the dam, silt removal, walking/bike trail, and accessible fishing dock. The TEA –21 funding has funding until 2003, so applications in the fall would be for the funding in 2001 – 2003. The City would be responsible for 20% of the cost with the estimated cost being \$968,358.

Commissioner Strecker felt that we continue with this and Commissioner Bombardier asked that staff look at funding the city portion through various means.

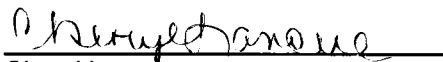
**STAFF COMMENTS**

Wynndee Lee, Director of Community Development, advised that she was speaking on behalf of Gerald Sorell, Director of the Sports Complex, regarding the Sports Complex, that we are looking at building a concession stand with restrooms on each end for the Pee Wee fields. The location would be west of the parking lot; it would be approximately 900 square feet. Mr. Sorell will be soliciting for donations to complete this project.

Judith McKee, Director of Public Grounds, announced that the City would be having a City Wide Clean up between April 17<sup>th</sup> – 21<sup>st</sup>, 2000. The city would be picking up the following:

- Brush
- Tires
- Furniture
- Appliances like stoves, dryer, washer and microwaves. Will not pick up Refrigerators.

There being no further business, Commissioner Bombardier moved to adjourn the meeting to the next regular city commission meeting (April 19, 2000). Commissioner Strecker seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 19, 2000**

The governing body met in regular session on April 19, 2000, at 4:00 p.m. in the City Commission Room in the City Hall, with the Mayor Strecker presiding and the following members present: Commissioner Bombardier and Ferguson.

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: Kirk Lowell, Tom Fisher, Burl Maley, Ken Johnson, Eric Johnson, Kit Larson, Geoff Forshee, Alex Collette, Andy Lewis, Dale Ferguson, Ruth Bombardier, Jana Strecker, Jim Conn, Melissa Conn, Jordan Metro, Adam Sorell, Art Slaughter, Denise deRocheffort-Reynolds, Lyle McMillan, Russell Cairns, Braden Breault, Blake Alderson, John States, Mike Derousseau, Brad Lowell and Joe Jindra.

Minutes of the April 5, 2000 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 7 APPROVED

Appropriation Ordinance No. 7 was approved according to law.

FIRST QUARTER INVESTMENT REPORT ACCEPTED

City Clerk Lanoue presented the first quarter investment report per Ordinance No. 1860. Total interest for the first quarter in 2000 was \$10,337.41 compared to \$12,586.98 for 1999. Commissioner Ferguson moved to place on file the first quarter investment report. Commissioner Strecker seconded. Motion carried.

ELECTION RESULTS

City Clerk Lanoue 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 April 4, 2000, to be as follows:

<u>For City Commissioner:</u>	
Isadore E. Bombardier	213
<u>Write-Ins</u>	
Armand Balthazor	20
Ray Harper	1

Following the reading of the election results from the County Clerk, Commissioner Ferguson declared Isadore E. Bombardier to the Office of City Commissioner for a three (3) year term. Commissioner Strecker second. Motion carried.

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 Isadore E. Bombardier for a three (3) year term.

MAYOR STRECKER'S SPEECH

Mayor Strecker said:

"I have been reflecting over this past year as your city commissioner and mayor. I would like to share with you a fable. A frog asked 2 geese to take him south with them. At first they resisted, they didn't see how it could be done. Finally, the frog suggested that the 2 of them hold a stick in their beaks and that he would hang on to it with his mouth. So off the unlikely threesome went flying southward over the countryside. It was really quite a sight. People looked up and expressed great admiration at this demonstration of creative teamwork. Someone said its wonderful, who was so clever to discover such a fine way to travel? Whereupon the frog opened his mouth and said, "It was I" as he plummeted to the earth.

I like this story because it reminds me of your 3 city commissioners. Not one of us has taken credit for anything as an individual. We have worked and functioned together as a team. Not once in the past year, has there ever been 2-1 vote. It has always been 3-0.

I know there are times when it looks like the city commission just rubber stamps the recommendation of the staff but we have been kept informed by Stan Smith and the staff.

They spend hours of studying, reviewing, analyzing and discussing before they make a recommendation to the city commission for a vote on the project.

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 19, 2000, contd.**

We three commissioners would like to thank Stan our city manager, department heads and staff as well as the planning commission, board of zoning appeals, housing authority, airport advisory board, library board, recreation commission and Cloud Corp. Thank you for your research, advice and recommendations to the city commission on issues. You have made our job easier.

Please join us commissioners in a round of applause for the staff to express our thanks for a job well done. Thank you.

About 2 ½ years ago when I was running for city commission, I compared Concordia to a ship without a captain, because we didn't have a city manager. We were still at the dock. A ship wasn't built to set at the dock or in the harbor. It was built to embrace the waves and rough seas to reach a destination and accomplish a goal. Well we are out of the harbor now and into open seas. We have a captain and crew. It is up to all of us to reach our destination. Concordia is underway.

It is with great confidence that I hand the gavel over to your city commissioner and new mayor Verna Ferguson."

### **ANNUAL COMMISSION REORGANIZATION**

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

### **ELECTION OF PRESIDENT OF THE BOARD**

Commissioner Ferguson moved to appoint Commissioner Bombardier to be president of the Board. Commissioner Strecker seconded. Motion carried.

### **APPOINTMENT TO LIBRARY BOARD**

**MAX REEVES**

City Manager Smith advised the commission that the Library contacted the City and advised that Max Reeves was contacted and is willing to serve a four (4) year term on the Library Board. Commissioner Bombardier moved to appoint Max Reeves to the Library Board for a four (4) year term (4-30-2000 through 4-30-2003). Commissioner Strecker seconded. Motion carried.

### **PROCLAMATION - LIBRARY APPRECIATION DAY**

Mayor Ferguson read the proclamation and declared April 24, 2000 as Library Appreciation Day.

### **PROCLAMATION - NATIONAL VOLUNTEER WEEK**

Mayor Ferguson read the proclamation and declared April 9-15, 2000 as National Volunteer Week, April 14-15 as National Youth Service Day and April 9-15 as The Big Help Week.

### **DESIGNATION OF OFFICIAL DEPOSITORY**

**TABLED**

City Clerk Lanoue advised the commission that Kim Wiesner on behalf of Commercial Federal Bank, would like to have Commercial Federal Bank designated as a depository security. Commissioner Ferguson asked if Commercial Federal Bank meets the requirements of designating them as a Depository Bank. City Attorney stated that he would have to research this and asked for the commission to consider tabling the item. Commissioner Bombardier moved to table designing Commercial Federal Bank as an official depository, until May 3, 2000. Commissioner Strecker seconded. Motion carried.

### **ORDINANCE NO. 2000-2772 - COMPREHENSIVE PLAN**

**APPROVED**

Thereupon there was presented an Ordinance entitled:

**AN ORDINANCE APPROVING AND ADOPTING A NEW COMPREHENSIVE PLAN IN ACCORDANCE WITH KSA 12-715 ET. SEQ., AND REPLACING THE EXISTING COMPREHENSIVE PLAN AND ITS AMENDMENTS**

Thereupon, Commissioner Bombardier moved that said Ordinance be adopted. Commissioner Strecker seconded the motion. 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 Bombardier, Strecker and Ferguson.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 19, 2000, contd.**

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. 2000-2772 and was signed by the Mayor and attested by the clerk.

**WATERLINE PROJECTS (WESTVIEW) BID AWARD****APAC-KANSAS, INC.-SHEARS**

Ken Johnson, Campbell & Johnson advised that the City received six (6) bids for the Westview on 8th Development Project Waterline Construction. APAC-Kansas, Inc. was the low bidder with a total bid of \$60,322.00. The Engineer's Estimate was \$82,237.00. The low bidder was \$21,915.00 under the Engineer's Estimate. The following are the costs and start dates for the two projects.

Project WT-2000-3rd Avenue                      \$27,660.00  
Start date 5/29/00, completion date 6/9/00

Project WT-2000-Westview Avenue              \$32,662.00  
Start date 5/29/00, completion date 6/23/00

Following discussion, Commissioner Strecker moved to accept the low bid in the total amount of \$60,322.00 from APAC-Kansas, Inc. Shears Div. Commissioner Ferguson seconded. Motion carried.

**PUBLIC HEARING - FIVE (5) YEAR KDOT PLAN****HELD**

Mayor Ferguson opened the public hearing. City Manager Smith stated that the purpose of the hearing is to discuss the Kansas Department of Transportation five-year plan. Mayor Ferguson asked for any comments from the public.

There were no comments.

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

**KDOT - FIVE (5) YEAR PLAN****ACCEPTED**

City Manager Smith presented the projects for the five- (5) year plan as follows:

1. 11th Street - Lincoln to East City Limits  
Bids to be Let by KDOT, April 19, 2000
2. 18th Street - Lincoln to Archer  
Tentative Letting Feb. 2002
3. 2nd Street - Cedar to Kansas
4. 2nd Street - Kansas to Valley & Valley - 2nd - 6th
5. Cedar Street - 7th to 11th
6. 7th Street - Matthew to East to City Limits

Commissioner Bombardier moved to accept the five- (5) year plan. Commissioner Strecker seconded. Motion carried.

**RESOLUTION NO. 2000- 1322 - 7th STREET -  
MATTHEW - EAST TO CITY LIMITS (FIVE YEAR PLAN)****ACCEPTED**

Thereupon, there was presented a Resolution entitled:

**THE SECRETARY WILL BE DESIGNATED AS AGENT FOR THE CITY OF CONCORDIA  
UNDER AN AGREEMENT TO BE EXECUTED. (FIVE-YEAR PLAN)**

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

Aye: Commissioners Bombardier, Strecker and Ferguson.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2000-1322 and was signed by the Mayor and attested by the Clerk.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 19, 2000, contd.**

**RESOLUTION NO. 2000-1323- KLINK RESURFACING - K-9**

**PASSED**

Thereupon, there was presented a Resolution entitled:

A RESOLUTION RELATING TO STATE AID FOR THE IMPROVEMENT OF CITY CONNECTING LINKS ON THE STATE HIGHWAY SYSTEM.

Thereupon, the Resolution was considered and discussed, and on motion by Commissioner Strecker, seconded by Commissioner Bombardier, the Resolution was adopted by vote of the majority of all members present.

Thereupon, the Resolution, having been adopted by a majority vote of the members of the governing body, it was given No. 2000-1323, and was directed to be signed by the Mayor and attested by the City Clerk.

**RESOLUTION NO. 2000-1324 - KDOT LIGHTING (HWY. 81)**

**PASSED**

Thereupon, there was presented a Resolution entitled:

A RESOLUTION RELATING TO BENEFITS OBTAINABLE BY CITIES UNDER THE FEDERAL AND STATE AID PROGRAM.

Thereupon, the Resolution was considered and discussed, and on motion by Commissioner Bombardier, seconded by Commissioner Strecker, the Resolution was adopted by vote of the majority of all members present.

Thereupon, the Resolution, having been adopted by a majority vote of the members of the governing body, it was given No. 2000-1324, and was directed to be signed by the Mayor and attested by the City Clerk.

**ENDORSEMENT - CLOUD COUNTY HEALTH CENTER**

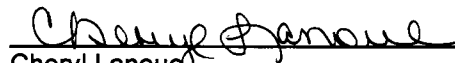
Mike Derousseau, Project Director, Cloud County Health Center, was at the meeting to discuss a Local Government Endorsement Form as part of a tax credit application grant in conjunction with the Community Service Tax Credit Program. The health center is looking to remodel the third floor of the hospital. The avenue of funding is through tax credits through the Kansas Community Service Program Act. The local governing body is not obligated to fund, supervise or in any way associate itself with the applicant agency or its project. It is a requirement, however, that the local governing body is aware of this project and sign the Local Government Endorsement Form. Commissioner Bombardier moved to authorize the Mayor to sign the endorsement. Commissioner Strecker seconded. Motion carried.

**PUBLIC COMMENTS**

Pastor John States presented to Mayor Ferguson a pin.

Mayor Ferguson asked the High School students to stand up and be recognized.

There being no further business, Commissioner Bombardier moved to adjourn the meeting to the next regular city commission meeting (May 3, 2000). Commissioner Strecker seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 3, 2000**

The governing body met in regular session on May 3, 2000, at 4:00 p.m. in the City Commission Room in the City Hall, with the Mayor Verna Ferguson presiding and the following members present: Commissioner Bombardier and Commissioner Strecker.

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: Larry Remmenga, Kirk Lowell, Tom Fisher, Burl Maley, Beldon Blosser, Shawn Kling, Judith McKee, Roberta Lowrey, Wynndee Lee, Brad Lowell and Joe Jindra.

Minutes of the April 19, 2000 regular meeting were approved as written.

### APPROPRIATION ORDINANCE NO. 8

APPROVED

Appropriation Ordinance No. 8 was approved according to law.

### DEVELOPMENT AGREEMENT-WALMART

TABLED

City Attorney Uri advised the commission that the city had received a Development Agreement from Wal-Mart, but was in the process of being modified to send back to Wal-Mart. Commissioner Ferguson moved to table the Wal-Mart Development Agreement until May 17, 2000. Commissioner Strecker seconded. Motion carried.

### FINAL PLAT – BLOSSER SKYLINE ADDITION

TABLED

Wynndee Lee advised that the final plat for Blosser Skyline Addition is still pending. The developer is still working on resolving the conditions placed on the plat by the Planning Commission and has asked for an extension until May 17, 2000.

Commissioner Bombardier moved to table the final plat for Blosser Skyline Addition until May 17, 2000. Commissioner Strecker seconded. Motion carried.

### DESIGNATION OF OFFICIAL DEPOSITORY

City Attorney Uri advised the commission that he had researched the designation of the depository security and stated that he would advise not to appoint Commercial Federal as a depository security since the information that they provided to us stated that their headquarters was not in Kansas. Commissioner Bombardier moved not to appoint Commercial Federal as a depository security. Commissioner Strecker seconded. Motion carried.

### AIRPORT ADVISORY BOARD BYLAWS

ACCEPTED

Judith McKee, Director of Public Grounds, advised the commission the Airport Advisory Board approved the Bylaws for the Airport Advisory Board at their April 11, 2000 meeting. Commissioner Strecker moved to accept the Airport Advisory Board Bylaws. Commissioner Bombardier seconded. Motion carried.

### RESOLUTION NO. 2000-1325 - KLINK - 6TH STREET - CLOUD TO EAST CITY LIMITS

APPROVED

Thereupon, there was presented a Resolution entitled:

A RESOLUTION AUTHORIZING THE IMPROVEMENT OR REIMPROVEMENT OF 6TH STREET, 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 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, being as follows:

Yea: Commissioner Ferguson, Strecker and Bombardier.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2000-1325 and was signed by the Mayor and attested by the Clerk.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 3, 2000, contd.**

RESOLUTION NO. 2000-1326

AMEND FINANCING ON 11TH STREET

ACCEPTED

Thereupon, there was presented a Resolution entitled:

A RESOLUTION OF THE CITY OF CONCORDIA, KANSAS AMENDING AND SUPPLEMENTING RESOLUTION NO. 98-1214 OF THE CITY WHICH AUTHORIZED THE IMPROVEMENT OR REIMPROVEMENT OF A MAIN TRAFFICWAY WITHIN THE CITY; AND PROVIDED FOR PAYMENT OF THE COSTS THEREOF

Thereupon, Commissioner Ferguson 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 City Commission, being as follows:

Aye: Commissioners Ferguson, Strecker and Bombardier.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2000-1326 and was signed by the Mayor and attested by the Clerk.

AUTHORITY TO AWARD CONTRACT

COMMITMENT OF CITY FUNDS - 11TH STREET PROJECT

APPROVED

City Manager Smith advised the commission that the City is in receipt of an Authority to Award Contract Commitment of City Funds for the 11th Street project. Bids were let by Kansas Department of Transportation on April 19, 2000 for this project. The low bidder was Hall Brothers Construction in the amount of \$998,701.93. The city's share is \$239,749.44, which will be due to the Fiscal Services Department of Transportation of the State of Kansas on or before June 8, 2000.

Commissioner Bombardier moved to authorize the contract to be signed by the city commission. The Commission approved the contract and payment in the amount of \$239,749.44 to be paid on or before June 8, 2000. Commissioner Strecker seconded. Motion carried.

CONTRACT FOR CONSTRUCTION ENGINEERING

11TH STREET PROJECT

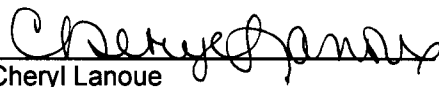
ACCEPTED

City Manager Smith advised the city received a contract for federal-aid road construction engineering by consultant for 11th Street project.

Commissioner Strecker moved to authorize the Mayor to sign the contract with Kansas Department of Transportation for the 11th Street project. Commissioner Bombardier seconded. Motion carried.

Mayor Ferguson announced that the city commission would be having a study session on May 11, 2000 at 4:00 p.m. in the City Commission Room, at City Hall.

There being no further business, Commissioner Ferguson moved to adjourn the meeting to the next regular city commission meeting (May 17, 2000). Commissioner Strecker seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 17, 2000**

The governing body met in regular session on May 17, 2000, at 4:00 p.m. in the City Commission Room in the City Hall, with Mayor Verna Ferguson presiding and the following members present: Commissioners Strecker and Bombardier.

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: Larry Remmenga, Kirk Lowell, Tom Fisher, Burl Maley, Beldon Blosser, Judith McKee, Roberta Lowrey, Wynndee Lee, J.T. Klause, Ron and Martha Thomas, Dustin Thomas, Brian Warren, Ken Parker, Nancy Champlin, Theresa Bonebrake, Loretta Buckner, Sandra Buckner Dixon, Richard and Regina Loeffler, Maryjo Stortz, Fedora Nobert, Brad Lowell and Joe Jindra.

Minutes of the May 3, 2000 regular meeting were approved as written.

### **APPROPRIATION ORDINANCE NO. 9**

**APPROVED**

Appropriation Ordinance No. 9 was approved according to law.

### **PROCLAMATION – MENTAL HEALTH MONTH**

Ken Parker stated that on behalf of Pawnee Mental Health he would like to recognize May as Mental Health Month. Mr. Parker advised that May 23, 2000 was the Ribbon Cutting for Pawnee Mental Health Services and on June 4, 2000 there would be an open house. Mayor Ferguson declared the month of May as Mental Health Month.

### **DEVELOPMENT AGREEMENT-WALMART**

**TABLED**

City Manager Smith advised the commission that the Development Agreement is still being looked at by several different people and would like to see the item tabled until the next regular meeting. Commissioner Ferguson moved to table the Wal-Mart Development Agreement until June 7, 2000. Commissioner Strecker seconded. Motion carried.

### **FINAL PLAT – BLOSSER SKYLINE ADDITION**

**TABLED**

City Manager Smith stated that the developer asked if the commission would table this item until a new plat is submitted from the developer. Commissioner Bombardier moved to table the final plat for Blosser Skyline Addition. Commissioner Ferguson seconded. Motion carried.

Commissioner Bombardier moved to amend his previous motion to table the final plat for Blosser Skyline Addition until a new plat is submitted. Commissioner Ferguson seconded. Motion carried.

### **PROCLAMATION – BUDDY POPPY WEEK**

Mayor Ferguson declared the week of May 21<sup>st</sup> – 27<sup>th</sup> as Buddy Poppy Week.

### **PUBLIC HEARING 304 CEDAR**

Mayor Ferguson opened the public hearing.

Mayor Ferguson stated the purpose of the public hearing is to provide an opportunity for the property owner and citizens of the community to express any comment or concerns on the property at 304 Cedar.

The property owner was not present and no comments were made.

Mayor Ferguson closed the public hearing.

### **ORDINANCE NO. 2000-2773 (Gail Revell, North Central Recycling – 304 Cedar)**

**PASSED**

Thereupon there was presented an Ordinance entitled:

**AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF AND LIABLE FOR SPECIAL ASSESSMENT THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST OF REMOVAL OF ALL DEBRIS ON PROPERTY AND MAKING THE PROPERTY SAFE.**

Thereupon, Commissioner Strecker moved that said Ordinance be adopted. Commissioner Bombardier seconded the motion. 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 MAY 17, 2000, contd.**

Aye: Commissioner Ferguson, Strecker 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. 2000-2773 and was signed by the Mayor and attested by the clerk.

**ORDINANCE NO. 2000-2774 (IRB MARQUIS PLACE)****PASSED**

Among other business, there came on for consideration and discussion the following:

AN ORDINANCE AUTHORIZING THE CITY OF CONCORDIA, KANSAS TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS, SERIES A, 2000 (MARQUIS PLACE OF CONCORDIA, L.L.C.), IN THE AGGREGATE PRINCIPAL AMOUNT OF \$1,750,000 AND ITS SUBORDINATED TAXABLE INDUSTRIAL REVENUE BONDS, SERIES B, 2000 (MARQUIS PLACE OF CONCORDIA, L.L.C.) IN THE AGGREGATE AMOUNT OF \$750,000 FOR THE PURPOSES OF (1) PAYING THE COSTS OF PURCHASING, ACQUIRING, CONSTRUCTING AND EQUIPPING AN ASSISTED LIVING FACILITY LOCATED IN THE CITY OF CONCORDIA, KANSAS, AND (2) PAYING CERTAIN COSTS OF ISSUANCE; AUTHORIZING THE EXECUTION OF A TRUST INDENTURE BY AND BETWEEN THE CITY AND SUNFLOWER BANK, N.A., IN THE CITY OF SALINA, KANSAS, AS TRUSTEE, AUTHORIZING THE CITY TO LEASE THE PROJECT TO MARQUIS PLACE OF CONCORDIA, L.L.C.; AUTHORIZING EXECUTION OF A LEASE BETWEEN THE CITY AND MARQUIS PLACE OF CONCORDIA, L.L.C.; APPROVING THE FORM OF A GUARANTY AGREEMENT; APPROVING THE FORM OF AN INDIVIDUAL GUARANTY AGREEMENT BETWEEN BRIAN S. WARREN, KATHLEEN M. WARREN, KENDAL A. KUCERA, D. WAYNE KEHRLI, NANCY L. KEHRLI AND FRED DAVENPORT, JR., AS INDIVIDUAL GUARANTORS, AND SUNFLOWER BANK, N.A., SALINA, KANSAS, AS TRUSTEE; AUTHORIZING THE EXECUTION OF A BOND PURCHASE AGREEMENT BY AND BETWEEN THE CITY, MARQUIS PLACE OF CONCORDIA, L.L.C. AND FROGGATTE & COMPANY, AS PURCHASER OF THE SERIES A, 2000 BONDS AND THE SERIES B, 2000 BONDS; AND APPROVING THE DISTRIBUTION AND USE OF AN OFFICIAL STATEMENT.

After discussion, upon motion by Commissioner Bombardier, seconded by Commissioner Strecker, each section of the Ordinance was passed by a majority of the members present.

A majority of the members having voted in favor of the passage of said Ordinance, it was designated Ordinance No. 2000-2774 and was ordered to be executed by the Mayor and by the City Clerk, and the City Clerk was directed to publish the Ordinance one time in the official city newspaper as required by law and provided therein.

**RESOLUTION NO. 2000-1327 - SETTING-  
PUBLIC HEARING DATE FOR CONCORDIA REDEVELOPMENT  
DISTRICT 2000****APPROVED**

Among other business there was presented to the City Commission a Resolution entitled:

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS DETERMINING THAT THE CITY IS CONSIDERING ESTABLISHING A REDEVELOPMENT DISTRICT WITHIN THE CITY, ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING ON SUCH MATTER, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING.

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

Aye: Commissioner Ferguson, Strecker and Bombardier.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2000-1327, and was directed to be signed by the Mayor and attested by the City Clerk.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 17, 2000, contd.**

**PUBLIC HEARING 303 E 6<sup>TH</sup>**

Mayor Ferguson opened the public hearing.

Mayor Ferguson stated the purpose of the public hearing is to provide an opportunity for the property owner and citizens of the community to express any comment or concerns on the property at 303 E 6<sup>th</sup>.

The property owner was not present and no comments were made.

Mayor Ferguson closed the public hearing.

**RESOLUTION NO. 2000-1328**

**DECLARING 303 E 6<sup>TH</sup> UNSAFE STRUCTURE**

**PASSED**

Thereupon, there was presented a Resolution entitled:

A RESOLUTION WHEREAS, THE ENFORCING OFFICER PURSUANT TO K.S.A. 12-1750 ET SEQ. AS PROVIDED BY SECTION 7-47© OF THE CODE OF ORDINANCES OF THE CITY OF CONCORDIA, KANSAS, HAS INFORMED THE GOVERNING BODY THAT IN HIS OPINION THE FOLLOWING STRUCTURE IS UNSAFE AND DANGEROUS. (303 E. 6<sup>TH</sup>)

Thereupon, Commissioner Strecker 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 City Commission, being as follows:

Aye: Commissioners Ferguson, Strecker and Bombardier.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2000-1328 and was signed by the Mayor and attested by the Clerk.

**PUBLIC HEARING – 440 W 7<sup>TH</sup>**

Mayor Ferguson opened the public hearing.

Mayor Ferguson stated the purpose of the public hearing is to provide an opportunity for the property owner or citizens of the community to express any comment or concerns about 440 W 7<sup>th</sup>. Mayor Ferguson asked if there was anyone present that had any comments.

Loretta Buckner stated that they were in the process of having construction workers put bids on the repair work that needed to be done. They were also trying to obtain some financial help or assistance to fix up the property and then possibly sell it. Ms. Buckner asked for a 120 days to fix up the property.

Mayor Ferguson closed the public hearing.

**RESOLUTION**

**DECLARING 440 W 7<sup>TH</sup> UNSAFE STRUCTURE**

**TABLED**

Following the above discussion, Commissioner Bombardier moved to table the resolution for 120 days in order for Ms. Buckner to complete the repair work at 440 W 7<sup>th</sup>. Commissioner Strecker seconded. Motion carried.

**RESOLUTION NO. 2000-1329**

**SUPPORT OF AIRPORT PARK POND**

**PASSED**

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DECLARING THE ELIGIBILITY OF THE CITY OF CONCORDIA TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR USE OF TRANSPORTATION ENHANCEMENT FUNDS SET FORTH BY THE FEDERAL TRANSPORTATION EQUITY ACT FOR 21<sup>ST</sup> CENTURY FOR THE AIRPORT PARK POND PROJECT IN CONCORDIA AND AUTHORIZING THE CITY MANAGER TO SIGN THE APPLICATION.

Thereupon, Commissioner Bombardier moved that said Resolution be adopted. The motion was seconded by Commissioner Strecker. Said Resolution was duly read and considered, and upon

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 17, 2000, contd.**

being put, the motion for the adoption of said Resolution was carried by the vote of the City Commission, being as follows:

Aye: Commissioners Ferguson, Strecker and Bombardier.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2000-1329 and was signed by the Mayor and attested by the Clerk.

DUSTIN THOMAS, EAGLE SCOUT (PLANTING PROJECT)

ACCEPTED

Dustin Thomas presented to the commission a project that he had placed in the City Park. Mr. Thomas dedicated his project to the City of Concordia.

RENTAL AGREEMENT FOR REVERSE OSMOSIS(ECOWATER)

APPROVED

City Manager Smith advised the commission that he had asked Joe Strecker to quote the cost on renting two (2) reverse osmosis systems for City Hall and the Fire Station. Following discussion, Commissioner Ferguson moved to authorize the Mayor to sign the rental agreement. Commissioner Bombardier seconded. Commissioner Strecker abstained. Motion carried.

RESOLUTION NO. 2000-1330- 11<sup>th</sup> STREET (SUPPLEMENTAL AGREEMENT) PASSED

Thereupon, there was presented a Resolution entitled:

A RESOLUTION RELATING TO BENEFITS OBTAINABLE BY CITIES UNDER PROGRAM FOR FEDERAL AID ON HIGHWAY CONSTRUCTION.

Thereupon, Commissioner Strecker 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 City Commission, being as follows:

Aye: Commissioners Ferguson, Strecker and Bombardier.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2000-1330 and was signed by the Mayor and attested by the Clerk.

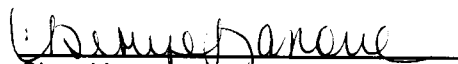
CITY MANAGER COMMENTS

City Manager Smith advised the Commission that on May 24, 2000 at 7:00 p.m. in the City Commission room the staff would be briefing the elected boards on the Concordia Redevelopment District 2000 and on May 31 at 4:00 p.m. the Concordia Redevelopment District 2000 Public Hearing

would be held. Mr. Smith also asks the commission to look at their calendars to schedule another budget meeting. It was decided they would meet on the following:

- May 23<sup>rd</sup>, 2000 from 6:00 – 8:00 p.m., in the Community Room – budget preparation
- May 24<sup>th</sup>, 2000 at 7:00 p.m., in the City Commission Room, the briefing on the Concordia Redevelopment District 2000, with the elected boards.
- May 25<sup>th</sup>, 2000 from 4:00 – 6:00 p.m., in the City Commission Room – budget preparation.
- May 31<sup>st</sup>, 2000 at 4:00 p.m., in the City Commission Room, Public hearing on the Concordia Redevelopment District 2000.

There being no further business, Commissioner Bombardier moved to adjourn the meeting to May 31, 2000 at 4:00 p.m. in the City Commission Room, in City Hall. Commissioner Ferguson seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

## MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD MAY 31, 2000

The governing body met in adjourned session on May 31, 2000, 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 Ferguson.

Absent: Commissioner Strecker.

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: Bruce Harris, Janice Watson, Bill Klinefelter, Craig Klinefelter, Douglas Swihart, Vryl LeSage, Vic Tatro, Ted Samuelson, Albert Hubert, Leo and Arlene Boutz, Roy Reif, Richard Chartier, Betty Musick, Floyd Buckley, Lois Cook, Judith McKee, Patricia McLennon, Theresa Bleches, Sister Julie Norton, Jerry Gallagher, Beulah Nobert, Bernard Nobert, Betty Swaim, Mike Swaim, Larry Greene, Lowell Moon, Donald Kaufmann, Mildred Vanek, Elton Anderson, Wayne Switzer, Dalton \_\_\_\_\_, Lorene Fraser, Keith Jackson, Richard Mason, Mike Paris, Chad Buckley, Dave Chestnut, Aggie Moore, Dan Hinman, Don Collins, \_\_\_\_\_, Burl Maley, Tom Fisher, Larry Remmenga, Darrell Nelson, George Champlin, Darlene Bachamp, Mark & Arbie Winter, Evelyn Jensen, Gerald Thoman, Sheri Hopkins, Kenton Hopkins, LaDonna Peltier, Phyllis Reifschneider, Carol Richard, Bonnie Sporer, Ken \_\_\_\_\_, Roberta Lowery, Lawrence Shuler, Kirk and Janet Lowell, Sister Frances Cabrim, Joe & Connie Black, Phil Gilliland, Patricia Gerhardt, Rick & Kebby Underwood, Sister Rose A Moos, Richard and Regina Loeffler, Ron Cailteux, Ron Deal, Ken Johnson, Everett Ford, Janice Pritchett, Robert L. Steimel, Jerry Eubanks, Mark Morgan, Doug Musick, Doug Hower, John Baxa, Jim Coppoc, Don \_\_\_\_\_, Donna Hodgins, Luella Taylor and Kevin Cowan.

### PUBLIC HEARING - CONCORDIA REDEVELOPMENT DISTRICT 2000

HELD

Mayor Ferguson opened the public hearing.

Larry Uri, City Attorney stated that this was a public hearing on the Concordia Redevelopment District 2000, this was a financing mechanism for improvements in the downtown, along the highway corridor and the south end of town. Mr. Uri opened it up for public comments.

Bonnie Sporer asked if this was about rezoning.

Mr. Uri advised that it was not. Mr. Uri explained what Tax Increment Financing was.

Richard Chartier stated that he could not see how the county would benefit from this and wanted to know how the county could benefit.

Mr. Uri responded with economic strength in the area.

Bonnie Sporer asked where the money was going to come from?

Mr. Uri responded with an example and used the Wal-Mart project.

Mike Swaim stated that the city had bad streets, sewers and stated that we would receive free money and then asked where the money would come from?

Mr. Uri explained again the Tax Increment Financing and used the Wal-Mart project.

Bill Klinefelter stated that in one of the towns he lived in, they did a similar financing and more new businesses developed and the tax increment helped to pay for improvements in their town. The town looks 100% better.

Everett Ford asked about the sales tax option.

Mr. Uri stated that the city was currently looking at the property tax only.

Janice Pritchett asked how soon this would happen.

Mr. Uri stated that we have contact with Wal-Mart daily.

Wynndee Lee, Director of Community Development, advised that the Primary Plans for Wal-Mart are here if anyone would like to see them.

David Chestnut stated that we give tax abatements out like candy.

Mr. Uri stated that this is not a tax abatement and everything stands on its own.

Ted Samuelson asked about the conservation district.

Mr. Uri responded that the conservation district didn't apply to us.

## MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD MAY 31, 2000, contd.

Ted Samuelson asked if a Blight Area would affect the values of the properties in the district.

Mr. Uri responded that he didn't know if the Blight Area would affect values of property.

Roberta Lowery asked about the District itself and if the South District could stand alone?

Mr. Uri responded that he didn't know.

Roberta Lowery then stated that we would be taking the taxes to benefit the downtown and the highway corridor.

Jerry Gallagher asked about opening on 13<sup>th</sup> street to 17<sup>th</sup> street.

Mr. Uri stated that could be a project, but the current project would be the Wal-Mart infrastructure.

Kevin Cowan talked about the conservation district and stated that it didn't apply in this case.

Mark Winter asked if this didn't go through, who would pay?

Mr. Uri stated that there is a benefit district or public at large as financing options.

Mike Swaim asked about the Blighted Area and how that wording came about.

Mr. Uri stated the wording came from the state legislature.

There being no further public comments, Mayor Ferguson closed the public hearing.

### BLIGHTED AREA FACTORS

Mr. Uri read "the term blighted area means an area which, because of the presence of a majority of the following factors, substantially impairs or arrests the sound development and growth of the municipality or constitutes an economic or social liability or is a menace to the public health, safety, morals or welfare in its present condition and use."

Larry Uri presented to the commission that there are ten factors and at least six must be met in order to be blighted. The following are the ten factors:

- A substantial number of deteriorated or deteriorating structures;
- A predominance of defective or inadequate street layout;
- Unsanitary or unsafe conditions;
- Deterioration of site improvements;
- Diversity of ownership;
- Tax or special assessment delinquency exceeding the fair value of the land; doesn't apply
- Defective or unusual conditions of title; doesn't apply
- Improper subdivision or obsolete platting or land uses;
- The existence of conditions which endanger life or property by fire or other causes;
- Conditions which create economic obsolescence.

Mr. Uri stated that staff felt that we met all but the tax or special assessment delinquency and the defective or unusual conditions of title.

Kevin Cowan, Gilmore and Bell, advised the steps that would have to be taken.

### RESOLUTION NO. 2000-1331

### CONCORDIA REDEVELOPMENT DISTRICT 2000

PASSED

Among other business, in accordance with notice published in *The Concordia Blade-Empire* on May 18th, 2000, delivered to the Board of County Commissioners of Cloud County and the Board of Education of Unified School District No. 333, and mailed, via U.S. certified mail, to each owner and occupant of land within a proposed redevelopment district on May 18, 2000, a public hearing was held by the governing body relating to the proposed creation of a redevelopment district and related matters pursuant to the provisions of K.S.A. 12-1770 *et seq.* (the "Act"). The City Manager made a presentation regarding the land to be contained within the proposed redevelopment district, the condition of such land and the improvements or lack thereof relating thereto, a summary of the proposed comprehensive plan that identifies all of the redevelopment project areas and identifies in a general manner all of the buildings and facilities that are proposed to be constructed or improved in each redevelopment area and certain other matters as set forth and required by the Act. Thereafter, all interested persons were afforded an opportunity to present their views on such matters. Thereupon, the public hearing was closed.

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD MAY 31, 2000, contd.**

Thereupon, there was presented a Resolution entitled:

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS MAKING CERTAIN FINDINGS WITH RESPECT TO A REDEVELOPMENT PROJECT AREA WITHIN THE CITY WHICH ARE NECESSARY TO ESTABLISH A REDEVELOPMENT DISTRICT WITHIN THE CITY.

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

Aye: Commissioners Ferguson and Bombardier

Nay: None

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2000-1331, and was directed to be signed by the Mayor and attested by the City Clerk.

**ORDINANCE NO. 2000-2775**  
**ESTABLISHING CONCORDIA REDEVELOPMENT DISTRICT 2000**

**PASSED**

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE OF THE CITY OF CONCORDIA, KANSAS ESTABLISHING A REDEVELOPMENT DISTRICT WITHIN THE CITY AND MAKING CERTAIN FINDINGS IN CONJUNCTION THEREWITH.

The Ordinance was considered and discussed and thereupon on motion of Commissioner Ferguson, seconded by Commissioner Bombardier, the Ordinance was passed by the following roll call vote:

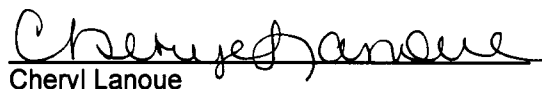
Aye: Commissioners Ferguson and Bombardier

Nay: None

Thereupon, the Ordinance having been adopted by vote of the members of the City Commission it was given No. 2000-2775, and was directed to be signed by the Mayor and attested by the City Clerk.

The City Clerk was further directed to provide a copy of said resolution and ordinance to the Board of County Commissioners of Cloud County and the Board of Education of Unified School District No. 333

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

  
Cheryl Lanoue  
City Clerk

(Seal)

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 7, 2000**

The governing body met in regular session at the usual meeting place in the City, at 4:00 p.m., the following members being present and participating, to-wit: Commissioners Ferguson, Strecker and Bombardier.

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: Larry Remmenga, Kirk Lowell, Tom Fisher, Burl Maley, Roberta Lowery, Judith McKee, Jim Lowell and Joe Jindra.

Minutes of the May 17, 2000 regular meeting and May 31, 2000 adjourned meeting were approved as written.

### **APPROPRIATION ORDINANCE NO. 10**

**APPROVED**

Appropriation Ordinance No. 10 was approved according to law.

### **PROCLAMATION – KANSAS BUSINESS APPRECIATION MONTH**

Mayor Ferguson declared the month of June as Kansas Business Appreciation Month.

### **DEVELOPMENT AGREEMENT-WALMART**

**TABLED**

City Manager Smith advised the commission that the Development Agreement is still being looked at by Wal-Mart and would like to see the item tabled until the next regular meeting. Commissioner Strecker moved to table the WalMart Development Agreement until June 21, 2000. Commissioner Ferguson seconded. Motion carried.

### **ORDINANCE NO. 2000-2776 - DESIGNATING KANSAS STREET AS MAIN TRAFFICWAY**

**PASSED**

Thereupon, there was presented an Ordinance entitled:

#### **AN ORDINANCE DESIGNATING KANSAS 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 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:

Yea: Commissioners Ferguson, Bombardier and Strecker.

Nay: None

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2000-2776, was signed by the Mayor and attested by the Clerk and was directed to be published one time in the official City newspaper.

### **RESOLUTION NO. 2000-1332 - AUTHORIZING IMPROVEMENT OR REIMPROVEMENT OF KANSAS STREET**

**PASSED**

Thereupon, there was presented a Resolution entitled:

#### **A RESOLUTION AUTHORIZING THE IMPROVEMENT OR REIMPROVEMENT OF KANSAS STREET, 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 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, being as follows:

Yea: Commissioners Ferguson, Bombardier and Strecker.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2000-1332 and was signed by the Mayor and attested by the Clerk.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 7, 2000, contd.**

**ORDINANCE NO. 2000-2777 - AMEND FIREWORKS**

**PASSED**

Thereupon there was presented an Ordinance entitled:

**AN ORDINANCE establishing the areas of the City of Concordia within which fireworks may be stored, offered for sale, or displayed; repealing Concordia Code section 10-61; and amending the Concordia Code, by adding a new section 10-61.**

The Ordinance was considered and discussed and thereupon on motion of Commissioner Bombardier, seconded by Commissioner Strecker, the Ordinance was passed by the following roll call vote:

Aye: Commissioners Ferguson, Strecker and Bombardier

Nay: None

Thereupon, the Ordinance having been adopted by vote of the members of the City Commission it was given No. 2000-2777, and was directed to be signed by the Mayor and attested by the City Clerk.

**ORDINANCE NO. 2000-2778 - SEWER CAPPING**

**PASSED**

Thereupon there was presented an Ordinance entitled:

**AN ORDINANCE requiring the capping of sewer lines when structures are demolished; and amending the Concordia Code, by adding a new section 26-22.**

The Ordinance was considered and discussed and thereupon on motion of Commissioner Strecker, seconded by Commissioner Bombardier, the Ordinance was passed by the following roll call vote:

Aye: Commissioners Ferguson, Strecker and Bombardier.

Nay: None

Thereupon, the Ordinance having been adopted by vote of the members of the City Commission it was given NO. 2000-2778, and was directed to be signed by the Mayor and attested by the City Clerk.

**ORDINANCE - WATER WELLS WITHIN THE CITY LIMITS**

**TABLED**

City Attorney Uri advised that staff would like to see this item tabled until June 21, 2000. Commissioner Bombardier moved to table the water wells within city limits ordinance until June 21, 2000. Commissioner Strecker seconded. Motion carried.

**PETITION - MARQUIS PLACE**

**ACCEPTED**

City Manager presented a petition to the City Commission that had been filed in the Office of the City Clerk requesting the making of certain internal improvements for the Marquis Place project. Commissioner Ferguson moved to accept the petition. Commissioner Bombardier seconded. Motion carried.

**RESOLUTION NO. 2000-1333 AUTHORIZING  
MARQUIS PLACE PROJECT**

**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 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 AND WATER IMPROVEMENTS/BLOSSER 2ND ADDITION).**



**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 7, 2000, contd.**

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

Yes: Commissioners Ferguson, Bombardier and Strecker.

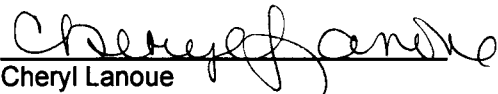
No: None.

Thereupon, the Resolution having been adopted by majority vote of the governing body, it was given No. 2000-1333; 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**

Kirk Lowell thanked the commission and staff for the hard work on the Concordia Redevelopment District 2000. Mr. Lowell stated that he hopes that this welcomes new projects to the community. Mr. Lowell also advised the commission that the School Board voted 7-0 on a Resolution of Support for the Concordia Redevelopment District 2000.

There being no further business, Commissioner Bombardier moved to adjourn the meeting to the next regular city commission meeting June 21, 2000. Commissioner Strecker seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 21, 2000**

The governing body met in regular session at the usual meeting place in the City, at 4:00 p.m., the following members being present and participating, to-wit: Commissioners Strecker and Bombardier.

Absent: Commissioner Ferguson.

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: Larry Remmenga, Kirk Lowell, Tom Fisher, Burl Maley, Judith McKee, Brad Lowell, Melva Gerard, Phil Gilliland, Eric Johnson, Ken Johnson, Armand Balthazor, Wynndee Lee and Joe Jindra.

Minutes of the June 7, 2000 regular meeting were approved as written.

### APPROPRIATION ORDINANCE NO. 11

APPROVED

Appropriation Ordinance No. 11 was approved according to law.

### APPOINTMENT TO AIRPORT ADVISORY BOARD

City Manager Smith stated that Gary Baldwin and Rick Breault no longer wish to serve on the Airport Advisory Board. Herman Hill submitted his resignation as a voting member. The following people have been contacted and are willing to serve: Dave Walters, Lawrence Schleuder and Mickey Powell. Herman Hill and Brian Donovan are willing to serve as non-voting members. Commissioner Strecker moved to appoint Dave Walters, Lawrence Schleuder and Mickey Powell as voting members and Herman Hill and Brian Donovan as non-voting members to the Airport Advisory Board. Commissioner Bombardier seconded. Motion carried.

### APPOINTMENT TO PLANNING COMMISSION

Wynndee Lee, Director of Community Development stated that there has been a vacant position on the Planning Commission for some time. Staff contacted Melvin Davenport and Ted Samuelson and both were willing to serve on the commission. Commissioner Strecker moved to appoint Melvin Davenport to fill the unexpired term, which will expire 11-1-01. Commissioner Bombardier seconded. Motion carried.

### APPOINTMENT TO BOARD OF ZONING APPEALS

Ms. Lee stated that there is an unexpired term on the Board of Zoning Appeals. Staff contacted Tim Parker and Mark Paul and both were willing to serve on the Board of Zoning Appeals. Commissioner Strecker moved to appoint Mark Paul to fill the unexpired term, which will run through 1-19-01. Commissioner Bombardier seconded. Motion carried.

### DEVELOPMENT AGREEMENT-WALMART

TABLED

Mr. Uri, City Attorney advised the commission that the Development Agreement is still being looked at by Wal-Mart and would like to see the item tabled. Commissioner Bombardier moved to table the WalMart Development Agreement until June 28, 2000. Commissioner Strecker seconded. Motion carried.

### ORDINANCE - WATER WELL INSIDE CITY LIMITS

TABLED

Mr. Remmenga, Director of Utilities, advised the commission on the ordinance regarding water wells inside the city limits. Section 26-23 Well Permits, of the ordinance, requires anyone drilling or operating a water well within the city limits shall first obtain a permit. The well permit fee would be \$25.00. Mr. Remmenga went through Section 26-24 Backflow preventers required for wells and Section 26-25 the Annual water safety inspections for wells.

Commissioner Strecker asked if the city was going to require a test that would cost several hundred dollars and what we were going to use the report for.

Mr. Remmenga stated that it was for health and safety reasons.

Mr. Smith, City Manager, stated that we should clarify what the testing requirements will be.

Following discussion, Commissioner Strecker moved to table the water well ordinance until July 5, 2000. Commissioner Bombardier seconded. Motion carried.

### ORDINANCE NO. 2000-2779 - AMEND FIREWORKS

PASSED

Thereupon there was presented an Ordinance entitled:

# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 21, 2000, contd.**

**AN ORDINANCE establishing the areas of the City of Concordia within which fireworks may be stored, offered for sale, or displayed; repealing Concordia Code section 10-61; and amending the Concordia Code, by adding a new section 10-61.**

The Ordinance was considered and discussed and thereupon on motion of Commissioner Bombardier, seconded by Commissioner Strecker, the Ordinance was passed by the following roll call vote:

Aye: Commissioners Strecker and Bombardier

Nay: None

Thereupon, the Ordinance having been adopted by vote of the members of the City Commission it was given No. 2000-2779, and was directed to be signed by the Mayor and attested by the City Clerk.

## ACCEPTANCE OF 1999 AUDIT

ACCEPTED

Mr. Doug Glenn, The BCC Group, L.L.C. went over the 1999 audit, noting the two violations. Commissioner Bombardier moved to accept the 1999 audit. Commissioner Strecker seconded. Motion carried.

## CLOUDCORP 2001 FUNDING REQUEST

Mr. Kirk Lowell, CloudCorp, presented to the commission the CloudCorp 2000 Budget and Proposed 2001 CloudCorp Funding Agreement. CloudCorp is requesting the City to consider a 2001 City of Concordia budget appropriation in the amount of \$25,000.00. Mr. Lowell stated the request is at the same funding level as the year 2000. The funds will be used in the general operations of CloudCorp. If funds are appropriated for CloudCorp in the City 2001 budget, CloudCorp will request the Funding Agreement for the year 2001 be on the December 2000 agenda. Mr. Lowell also presented some of the technology changes in CloudCorp.

## FIREFIGHTERS RELIEF ASSOCIATION - LOAN AGREEMENT

APPROVED

City Attorney Uri presented a loan warrant for the City of Concordia. The City of Concordia has borrowed \$20,000 from the Concordia Firefighters Relief Association to be used to by the city in the improvement of its fire department and equipment. The sum will be repaid in two equal annual payments of \$10,000.00, with no interest, the first such payment to be due June 1, 2001, and the second such payment to be due June 1, 2002. Commissioner Bombardier moved to approve the loan agreement. Commissioner Strecker seconded. Motion carried.

## TURNOUT GEAR - BID AWARD

DANKO

Burl Maley, Director of Public Safety, advised the commission that the city received two bids for replacing protective clothing for structural firefighting that meets NFPA 1971, 2000 standards.

1. Weis Fire & Safety Equipment
  - a. "Aegis" Coat and Trousers with some options at \$1,003.39
  - b. "RS-1" Coat and Trousers with some options at \$1,024.87
2. Danko Emergency Equipment Co.
  - a. "Lion" Coat and Trousers with all options at \$1,156.90

Following discussion, Commissioner Bombardier moved to accept the bid from Danko in the amount of \$23138. Commissioner Strecker seconded. Motion carried.

## CONSIDER REQUEST OF VACATION OF STREET RIGHT-OF-WAY

TABLED

Ms. Wynndee Lee, Director of Community Development, advised the commission about the request to vacate the street right-of-way for 17th Street between Kansas and Olive Streets. Ms. Lee stated that the Planning Commission recommends vacation of the entire street and staff recommends vacation of 10 feet from each side. Melva Gerard, property owner, stated that she understands the ramifications of vacating the entire street and would provide the legal description and easement. Darrell Hosie stated he believed that the street hinders development in the area. Following discussion, Commissioner Strecker moved to table the request of vacation of street right-of-way to July 5, 2000. Commissioner Bombardier seconded. Motion carried.

## RESOLUTION NO. 2000-1334 APPOINTING LOCAL FREEDOM OF INFORMATION OFFICER

PASSED

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 21, 2000, contd.**

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION APPOINTING A LOCAL FREEDOM OF INFORMATION OFFICER FOR THE CITY OF CONCORDIA, AND PROVIDING THE OFFICER'S DUTIES.**

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

Yes: Commissioners Bombardier and Strecker.

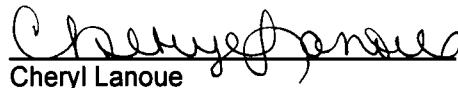
No: None.

Thereupon, the Resolution having been adopted by majority vote of the governing body, it was given No. 2000-1334; was directed to be signed by the Mayor and attested by the City Clerk.

**CITY MANAGER'S COMMENTS**

Mr. Smith advised that the property owner would like us to consider the Skyline Line plat and possible the Wal-Mart Development Agreement and would suggest that the Commission meet on June 28, 2000 at 4:00 p.m.

There being no further business, Commissioner Bombardier moved to adjourn the meeting to June 28, 2000 at 4:00 p.m. in the city commission room. Commissioner Strecker seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

## MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JUNE 28, 2000

The governing body met in adjourned session on June 28, 2000, 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 Ferguson.

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: Beldon Blosser, Dave Swenson, Roberta Lowery, Janet Lowell, Susan Retter, Don Kling, \_\_\_\_\_Walthers, Gary Moore, Irene Brown, Bruce Brown, Diane Hinson, Linda Houser, Dan Hinman, Paul Rimovsky, Harlan Jensen, Don LacKamp, Suzie Tuggle, Judy Womack, Steve Womack, Dallas Nading, Larry Remmenga, Burl Maley, Wynnndee Lee, Ed Pick, Judith McKee, Kirk Lowell, Ken Johnson, Lowell Thoman, Eric Johnson, Brad Lowell, Robin Hood, John and Joyce Hood.

### WALMART DEVELOPMENT AGREEMENT

### TABLED

Larry Vernon, Acting City Attorney, advised the commission that the Wal-Mart Development Agreement is not in final form. Mr. Vernon went through the following issues:

1. That the infrastructure is a little over 2 million dollars and would be funded by the General Fund, General Obligation Bonds and TIF.
2. That construction of the Wal-Mart facility would have to start by 10-1-2000 or Wal-Mart would possibly have to pay the cost of the Engineering and Design in the amount of \$128,252.16. Note Wal-Mart has not agreed to this.
3. That the City would purchase dirt from Wal-Mart in the amount of \$2.00 per cubic yard(approximately \$230,000)
4. Wal-Mart would pay up to \$230,000 for cost of intersection improvements.
5. Wal-Mart would hire and pay for an independent inspector, engineer or architect licensed by the state of Kansas, to check construction per code. the city's inspections.
6. Ask that Wal-Mart would prepay on the assessed evaluation of \$1,535,000, in the amount of \$233,000, so the city would have funds for the bond payments in 2001.
7. If Wal-Mart does not go through with the project they would pay the City \$30,000 for the out-of-pocket expenses, that they incurred for development of TIF District.
8. The City would ask that Wal-Mart pay a building permit fee of \$1500.00 to cover the site plan review, and building plan review which is being contracted out.

Mr. Vernon asked the commissioner if they would consider tabling the Development Agreement until July 5, 2000, when we hope that it will be accepted by Wal-Mart.

Following discussion, Commissioner Ferguson moved to table the Wal-Mart Development Agreement until July 5, 2000. Commissioner Strecker seconded. Motion carried.

### SKYLINE PLAT

### TABLED

Larry Uri, City Attorney, advised the commission that we had hoped that the Skyline Plat would be ready for consideration. Mr. Uri noted that the major issues have been resolved, but the easements that go with the plat have some issues that need to be worked out. Mr. Uri asked that the Commission consider tabling this item until July 5, 2000. Commissioner Ferguson moved to table the Skyline Plat until July 5, 2000. Commissioner Strecker seconded. Motion carried.

### MAYOR'S COMMENTS

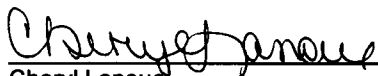
Mayor Ferguson stated that the Wal-Mart project is moving forward and that she had received several phone calls regarding the project and they were 100 percent for the project to move forward. She thanks the public for attending.

### PUBLIC COMMENTS

Mr. David Swenson, Beldon Blosser's attorney, advised that Mr. Blosser is working with Wal-Mart to close this project. Mr. Swenson advised that Wal-Mart is not ready to close on July 1, 2000, it will be August 10, 2000. Mr. Swenson stated that Wal-Mart would have the bids for the building on 7-15-00. Mr. Swenson stated that he sees this as the beginning of the development out South and this project as not the end, just the beginning.

Mr. Swenson stated that he did deliver late in the afternoon easements for the city to review and he understands the delay.

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 JULY 5, 2000**

The governing body met in regular session on July 5, 2000, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Ferguson, Strecker and Bombardier.

Absent: None

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

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

Visitors: Armand Balthazor, Judith McKee, Joe Jindra, Burl Maley, Larry Remmenga, Wynndee Lee, Susie Haver, Richard and Regina Loeffler, Bud Kennedy, Averill Copple, Dave Dutton, Jack Widen, Roberta Lowery, Kirk Lowell, Ken Johnson, Sue Sutton and Brad Lowell.

Minutes of the June 21, 2000 regular meeting and June 28, 2000 adjourned meeting were approved as written.

### **APPROPRIATION ORDINANCE NO. 12**

**APPROVED**

Appropriation Ordinance No. 12 was approved according to law.

### **CONSIDER REQUEST OF VACATION OF STREET RIGHT-OF-WAY**

Ms. Wynndee Lee, Director of Community Development, advised the commission that Jim Fall and Melva Gerard are requesting total vacation of 17<sup>th</sup> Street between Kansas and Olive. The Planning Commission is recommending the total vacation and staff is recommending a partial vacation of ten (10) feet. Following discussion, Commissioner Bombardier moved to recommend a partial vacation of ten (10) feet. Commissioner Ferguson seconded. Motion carried.

### **ORDINANCE - WATER WELL INSIDE CITY LIMITS**

**WITHDRAWN**

City Manager Smith advised the commission that staff was not ready to present this and asked that it be withdrawn from the agenda.

Following discussion, Commissioner Bombardier moved to withdraw the water well ordinance from the agenda. Commissioner Ferguson seconded. Motion carried.

### **DEVELOPMENT AGREEMENT – WALMART**

**APPROVED**

Larry Vernon advised that the issues on the Wal-Mart Development Agreement have been worked out and asked that the Commission consider authorizing the Mayor to sign the Development Agreement with Wal-Mart. Following discussion, Commissioner Ferguson moved to authorize the Mayor to sign the Development Agreement. Commissioner Strecker seconded. Motion carried.

### **SKYLINE PLAT**

**TABLED**

Larry Uri, City Attorney, advised that the plat and easements are very close and asked the commission to consider tabling the Skyline Plat until July 19, 2000. Commissioner Bombardier moved to table the Skyline Plat until July 19, 2000. Commissioner Strecker seconded. Motion carried.

### **RESOLUTION NO. 2000-1335 - TIF - SKYLINE PROJECT**

**PASSED**

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS STATING THAT THE CITY IS CONSIDERING ADOPTING A REDEVELOPMENT PLAN FOR USE IN A PREVIOUSLY ESTABLISHED REDEVELOPMENT DISTRICT IN THE CITY, DECLARING AN INTENT TO FINANCE A REDEVELOPMENT PROJECT WITHIN SUCH PROPOSED REDEVELOPMENT DISTRICT WITH FULL FAITH AND CREDIT TAX INCREMENT BONDS OF THE CITY, ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING ON SUCH MATTERS, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING.**

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:

Aye: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 5, 2000, contd.**

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2000-1335, and was directed to be signed by the Mayor and attested by the City Clerk.

### **PROPOSED AMENDMENTS TO PERSONNEL POLICY**

**TABLED**

Commissioner Ferguson moved to table the amendments to the personnel policy to July 26, 2000, study session. Commissioner Strecker seconded. Motion carried.

### **PUBLIC HEARING FOR CLOUD COUNTY HEALTH CENTER, INC. – IRB'S**

**HELD**

Mayor Ferguson opened the public hearing for the proposed issuance of \$500,000 principal amount of Hospital Facilities Revenue Bonds for the purpose of financing the acquisition of hospital equipment at the Cloud County Health Center.

There were no comments.

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

### **RESOLUTION NO. 2000-1336-IRB'S CLOUD COUNTY HEALTH CENTER**

**PASSED**

Among other business, in accordance with notice published on July 3, 2000, in The Concordia Blade-Empire, a public hearing was held by the governing body relating to the proposed issuance of not to exceed \$500,000 principal amount of Hospital Facilities Revenue Bonds, Series 2000 (Cloud County Health Center, Inc.) (the "Bonds"). All interested persons were afforded an opportunity to present their views on the issuance of the Bonds, and the location and nature of the Project to be financed with the proceeds of the Bonds and the exemption from ad valorem taxation. There, the public hearing was closed.

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 HOSPITAL FACILITIES REVENUE BONDS OF SAID CITY FOR THE PURPOSE OF FINANCING THE ACQUISITION OF HOSPITAL EQUIPMENT AT THE CLOUD COUNTY HEALTH CENTER LOCATED IN SAID CITY.**

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

Aye: Commissioners Ferguson, Bombardier and Strecker.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission, it was given No. 2000-1336, and was directed to be signed by the Mayor and attested by the City Clerk.

### **QUARTERLY REPORTS - BROWN GRAND**

Susie Haver, representative of the Brown Grand, updated the commission on the Brown Grand and advised that she would be doing this quarterly.

### **PUBLIC COMMENTS**

Armand Balthazor asked about the \$100,000 regarding Kloster. Mr. Smith stated that it is not concluded that the city is still negotiating with the insurance carriers.

### **EXECUTIVE SESSION ACQUISITION OF REAL PROPERTY**

At this time Commissioner Ferguson moved that the commission recess into executive session for thirty (30) minutes to discuss acquisition of real property. Commissioner Strecker seconded. Motion carried. Inviting in City Manager Smith, City Attorney and Judith McKee, Director of Public Grounds. Time 4:30 p.m.

The commission reconvened at 5:00 p.m.

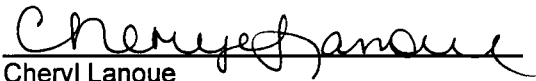
Commissioner Ferguson moved to recess for an additional thirty (30) minutes to continue the discussion of acquisition of real property. Commissioner Bombardier seconded. Motion carried. Time 5:00 p.m.

The commission reconvened at 5:18 p.m.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 5, 2000, contd.**

Mayor Ferguson announced that the Commission had been discussing acquisition of real property and no binding action had been taken.

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

  
Cheryl Lanoue  
City Clerk

(Seal)



## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 19, 2000

The governing body met in regular session on July 19, 2000, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Ferguson, Strecker and Bombardier.

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, Judith McKee, Joe Jindra, Burl Maley, Wynndee Lee, Richard and Regina Loeffler, Dan Bartz, Bruce Harris, Ken Johnson, Sue Sutton and Brad Lowell.

Minutes of the July 5, 2000 regular meeting were approved as written.

### APPROPRIATION ORDINANCE NO. 13

APPROVED

Appropriation Ordinance No. 13 was approved according to law.

### SECOND QUARTER INVESTMENT REPORT

PLACED ON FILE

City Clerk Lanoue advised the city commission that the City has received interest of \$25,396.20 for the second quarter of 2000, which compares to 1999 of \$21,044.44. Commissioner Ferguson moved to place the second quarter investment report on file. Commissioner Strecker seconded. Motion carried.

### PUBLIC HEARING ON CLOUD COUNTY HEALTH CENTER(IRB'S)

HELD

Among other business, in accordance with notice published on July 3, 2000, in *The Concordia Blade-Empire*, a public hearing was held by the governing body relating to the proposed issuance of not to exceed \$500,000 principal amount of Hospital Facilities Revenue Bonds, Series 2000 (Cloud County Health Center) (the "Bonds"). All interested persons were afforded an opportunity to present their views on the issuance of the Bonds, and the location and nature of the Project to be financed with the proceeds of the Bonds. Thereupon, Commissioner Ferguson moved that the public hearing be closed. Commissioner Strecker seconded. Motion carried.

### KPL FRANCHISE UPDATE

Larry Uri, City Attorney, advised the commission that they had three options:

1. To increase the franchise fee from five percent (5%) to six percent (6%).
2. To ask Kansas Gas Service to enter into a new franchise agreement that would charge a franchise fee to all gas customers.
3. That they could do both one and two above.

Mr. Uri advised that currently there are eight (8) customers that are purchasing gas from someone other than Kansas Gas Service, but using their lines and not being charged a franchise fee. Mr. Uri stated that you have to be a major business to buy from someone other than Kansas Gas Service.

Bruce Harris, Kansas Gas Service, advised that the one percent (1%) increase, from five percent (5%) to six percent (6%), would increase the franchise fee approximately \$15,000. If the City would charge a franchise fee on the eight (8) customers that are buying their gas from someone other than Kansas Gas Service the fee would increase approximately \$12,000. Mr. Harris stated that the increase would not be effective until January 2002.

Following discussion, Commissioner Ferguson moved that the City Commission would have an answer on which way to go on the August 2, 2000 meeting. Commissioner Bombardier seconded. Motion carried.

### SKYLINE PLAT

THIRTY (30) DAY EXTENSION AND TABLED

Community Development Director Lee advised that the Skyline Plat is not ready and asked that the commission give them a thirty- (30) day extension and table it until August 2, 2000. Commissioner Bombardier moved to give the developer a thirty- (30) day extension. Commissioner Strecker seconded. Motion carried. Commissioner Ferguson moved to table the Skyline Plat until August 2, 2000. Commissioner Bombardier seconded. Motion carried.

### ORDINANCE NO. 2000-2780 - 17<sup>TH</sup> STREET VACATION

APPROVED

Thereupon, there was presented an Ordinance entitled:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 19, 2000, contd.

AN ORDINANCE PURSUANT TO K.S.A. 14-423, AS AMENDED, VACATING A PORTION OF SEVENTEEN (17<sup>TH</sup>) STREET RIGHT-OF-WAY IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS.

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

Aye: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

Thereupon, the Ordinance having been adopted by vote of the members of the City Commission it was given No. 2000-2780, and was directed to be signed by the Mayor and attested by the City Clerk.

CONCORDIA APARTMENTS I LP - ALLEY PETITION ACCEPTED

Mr. Smith advised the commission that Protech Development Corporation, the General Partner of Concordia Apartments I LP, is requesting an alley at the new project sight. Following discussion, Commissioner Ferguson moved to accept the petition, from Concordia Apartments I LP, and place on file. Commissioner Strecker seconded. Motion carried.

RESOLUTION NO. 2000-1337 AUTHORIZING CONCORDIA APARTMENTS I LP PROJECT 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 FINDINGS (ALLEY/CONCORDIA APARTMENTS).

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:

Aye: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2000-1337, and was directed to be signed by the Mayor and attested by the City Clerk.

BID AWARD – K-9 – CLOUD TO EAST CITY LIMITS HALL BROTHERS CONSTRUCTION, INC.

Ken Johnson advised the commission on July 12, 2000 the City received one bid on the K-9 Cloud to East City Limits Project, from Hall Brothers Construction Co., Inc, in the amount of \$125,680.76. This is under the engineer's estimate of \$176,576.29. Hall Brothers Construction Co. Inc., has a projected start date of August 9, 2000 and a completion date of September 1, 2000. Commissioner Strecker moved to accept the bid from Hall Brothers Construction Co., Inc. for \$125,680.76. Commissioner Bombardier seconded. Motion carried.

BID AWARD – SANITARY SEWER – WESTVIEW SMOKEY HILL LLC

Ken Johnson advised the commission on July 11, 2000 the City received four bids on the sanitary sewer project, for Westview, as follows:

<u>Sanitary Sewer Westview</u>			
<u>Smokey Hill</u>	<u>APAC-Kansas</u>	<u>Nowak Construction</u>	<u>J Corp.</u>
\$ 74,719	\$ 73,211	\$ 91,387	\$116,334
<u>Sanitary Sewer Westview Collector</u>			
\$ 28,331	\$ 33,806	\$ 41,623	\$ 55,410
Total	\$103,050	\$107,017	\$133,010
			\$171,744

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 19, 2000, contd.**

Following discussion, Commissioner Bombardier moved to accept the low bid of \$103,050 from Smokey Hill LLC. Commissioner Ferguson seconded. Motion carried.

**BID AWARD – RUNWAY MAINTENANCE PROJECT** **VANCE BROTHERS, INC.**

Judith McKee, Director of Public Grounds advised the commission on July 6, 2000 the city received two (2) bids on the runway maintenance project, as follows:

Vance Brothers, Inc.	Microsurfacing, Inc.
\$85,752.50	\$134,842.75

Following discussion, Commissioner Bombardier moved to accept the low bid from Vance Brothers, Inc. in the amount of \$85,752.50. Commissioner Ferguson seconded. Motion carried.

**BID AWARD – COMPUTERS TWO (2)** **ACCEPTED**

City Clerk Lanoue advised the commission on July 12, 2000 the city received three (3) bids on two (2) Pentium 90 computers, as follows:

	<u>Computer Bid</u>	<u>Computer Bid</u>
Larry Remmenga	\$92.19	\$107.81
Robert Clark	\$122.67	
Steven Palmquist	\$10.50/for both	

Commissioner Bombardier moved to accept the two high bids, Larry Remmenga (\$107.81) and Robert Clark (\$122.67) for the two (2) Pentium 90 computers. Commissioner Strecker seconded. Motion carried.

**ORDINANCE NO. 2000-2781 – AUTHORIZING & PROVIDING FOR CONSTRUCTION OF STORM DRAINAGE** **APPROVED**

Thereupon, there was presented a Ordinance entitled:

**AN ORDINANCE OF THE CITY OF CONCORDIA, KANSAS, AUTHORIZING AND PROVIDING FOR THE CONSTRUCTION OF STORM DRAINAGE IMPROVEMENTS TO THE CITY; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.**

Thereupon, Commissioner Bombardier 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: Commissioners Ferguson, Strecker and Bombardier.
- Nay: None.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2000-2781 and was signed by the Mayor and attested by the Clerk. The Clerk was further directed to publish the Ordinance one time in the official City newspaper.

**STATEMENT OF FINAL COSTS, ASSESSMENT ROLL CERTIFICATION, NOTICE OF HEARING AND FORM OF NOTICE OF HEARING AND STATEMENT OF COST PROPOSED TO BE ASSESSED** **APPROVED**

Thereupon, and among other business, there were presented certain documents relating to the following described improvements heretofore authorized by the City Commission:

**Project No. 1 – Concordia Apartments – Street, Water, Sewer and Alley**

**Resolution No. 98-1243**

- (i) Street Improvements—The grading, curbing, guttering and surfacing of 17<sup>th</sup> Street and related off street parking, attached to 17<sup>th</sup> Street and located in the 17<sup>th</sup> Street easement between Archer Street and Hill Street in the City;
- (ii) Water Line Improvement—A six-inch water line an appurtenances constructed in the 17<sup>th</sup> Street easement between termini located in 17<sup>th</sup> Street and Hill Street in the City;

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 19, 2000, contd.**

- (iii) Sanitary Sewer Improvement—An eight-inch sanitary sewer line and appurtenances in the alley in Block Twenty-one (21) between Archer Street and Hill Street in the City; and
- (iv) Alley Improvement—The grading and surfacing of the alley in Block Twenty-one (21) between Archer Street and Hill Street, in the City.

**Project No. 2 – 21st Street - Street****Resolution No. 98-1223**

Construct, pave, curb and gutter approximately 470 linear feet of 21<sup>st</sup> Street from State Street to Washington Street.

**Project No. 3 – Olive Street South Sewer Collection System****Resolution No. 99-1261**

Installation of new sewer collection system running south on Olive Street to the alley between 18th and 19th streets, then east, following the alley past Spruce Street.

The documents presented are as follows:

**Exhibit A** - Statement of Final Costs

**Exhibit B** - Assessment Roll Certification

**Exhibit C** - Notice of Public Hearing

**Exhibit D** - Form of Notice of Hearing and Statement of Cost Proposed to be Assessed.

After full consideration thereof, Commissioner Ferguson moved to take the following action:

1. Approve each of said documents;
2. Establish August 2, 2000 at 4:00 p.m. to meet for the purpose of hearing any and all written or oral objections to the respective assessments set forth therein;
3. Cause the City Clerk to publish **Exhibit C** in the official City newspaper not less than 10 days prior to such public meeting date;
4. Mail **Exhibit D** to each and all owners of property affected by such assessments at their last known post office address on the same date as the publication of **Exhibit C**; and
5. File each of said documents of record in the office of the City Clerk and make the same available for public inspection.

The motion was seconded by Commissioner Strecker, and approved by the following roll call vote:

Yes: Commissioners Ferguson, Strecker and Bombardier .

No: None.

**PUBLIC COMMENTS**

Mr. Balthazor stated that he felt that the City Manager should be recognized for providing the expenditures on the Kloster claim.

**EXECUTIVE SESSION – NON-ELECTED PERSONNEL**

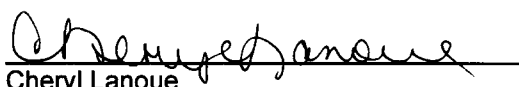
At this time Commissioner Strecker moved that the commission recess into executive session for thirty (30) minutes to discuss non-elected personnel. Commissioner Ferguson seconded. Motion carried. Inviting in City Manager Smith and City Attorney Uri. Time: 4:48 p.m.

The commission reconvened at 5:18 p.m.

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

Mayor Ferguson announced that the City Commission would be meeting on July 25, 2000 instead of July 26, 2000 at 4:00 p.m. for a work session on the Employee Handbook and the 2001 Budget.

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

  
Cheryl Lanoue  
City Clerk

(Seal)

**EXHIBIT A**

**CITY OF CONCORDIA, KANSAS**

**CONCORDIA APARTMENTS – STREET, WATER, SEWER AND ALLEY  
RESOLUTION NO. 98-1243**

**STATEMENT OF FINAL COSTS**

CONSTRUCTION	\$ 86,751.00
ENGINEERING	7,515.00
COSTS OF ISSUANCE	8,883.84
NOTE INTEREST	10,955.27
<b>TOTAL</b>	<b>\$114,105.11</b>

**21ST STREET - STREET  
RESOLUTION NO. 98-1223**

**STATEMENT OF FINAL COSTS**

CONSTRUCTION	\$78,997.20
ENGINEERING	7,750.00
COSTS OF ISSUANCE	4,016.43
NOTE INTEREST	4,059.85
<b>TOTAL</b>	<b>\$94,823.48</b>

**OLIVE STREET SOUTH SEWER COLLECTION SYSTEM  
RESOLUTION NO. 99-1261**

**STATEMENT OF FINAL COSTS**

CONSTRUCTION	\$35,405.00
ENGINEERING	6,350.00
COSTS OF ISSUANCE	2,053.06
NOTE INTEREST	1,955.19
<b>TOTAL</b>	<b>\$45,763.25</b>

***EXHIBIT B***

**ASSESSMENT ROLL CERTIFICATION**

The undersigned having been designated by the City of Concordia, Kansas (the "City"), to determine the amounts of the respective assessments and to prepare the proposed Assessment Roll therefor in connection with certain internal improvements heretofore authorized by the City Commission, hereby reports that each and all of said respective assessments have been determined to be as shown on the Schedule(s) attached hereto and made a part hereof by reference as though fully set out herein.

Dated July 19, 2000.

**CITY OF CONCORDIA, KANSAS**

By \_\_\_\_\_  
Cheryl Lanoue, City Clerk

***SCHEDULE I***

**CONCORDIA APARTMENTS – STREET, WATER, SEWER AND ALLEY  
RESOLUTION NO. 98-1243**

<b>Description of Property</b>	<b>Amount of Assessment</b>
Lots 8 – 13, inclusive, Block 40; and Lots 1 – 7, inclusive, Block 21, in the City of Concordia, Cloud County, Kansas, according to the recorded Plat thereof.	\$114,105.11

*SCHEDULE II*

**21ST STREET - STREET  
RESOLUTION NO. 98-1223**

Description of Property	Amount of Assessment
<p>PMHEA TRACT: A tract of land in the South Half (S1/2) of the Southwest Quarter (SW1/4) of Section Four (4), Township Six (6) South, Range Three (3) West of the 6th P.M., in Cloud County, Kansas, described as follows: Beginning at a point on the East line of State Street in the City of Concordia, 500.62 feet South of the North line of the South Half (S1/2) of the Southwest Quarter (SW1/4) of Section Four (4), Township Six (6) South, Range Three (3) West, said point being the intersection of the North line of College Hill Addition and the East line of State Street in said city; thence East along the North line of the College Hill Addition on an assumed bearing of S 90°59'51" E., 450.00 feet, thence North parallel to the East line of State Street on a bearing of N 0°0'0" E. 210.31 feet; thence West on a bearing of N 90°59'51" W. 450.00 feet to the East line of State Street in said city; thence South along the East line of State Street, 210.31 feet to the point of beginning. Containing 2.17 acres, more or less, all in the City of Concordia, Cloud County, Kansas.</p>	\$81,931.08



***SCHEDULE III***

**OLIVE STREET SOUTH SEWER COLLECTION SYSTEM  
RESOLUTION NO. 99-1261**

<b>Description of Property</b>	<b>Amount of Assessment</b>
Block 18, Lots 7, 8, 9, 10, 11, and 12 Original Town of Concordia, KS	\$ 7,103.47
Block 18, Lots 1, 2, 3, 4, 5, 6, 13, 14, 15 16, 17 and 18 Original Town of Concordia, KS	\$14,206.95
Block 19, The West One Half (W1/2) of Lot 5 Lots 6, 7, 8, 9, 10, 11, 12, 13 and the West One Half (W1/2) of Lot 14 Original Town of Concordia, KS	\$10,655.21

## **EXHIBIT C**

(Published in *The Concordia Blade-Empire*, on July 21, 2000)

### **NOTICE OF PUBLIC HEARING**

**TO: RESIDENTS OF THE CITY OF CONCORDIA, KANSAS**

You and each of you are hereby notified that the City Commission of the City of Concordia, Kansas (the "City") will meet for the purpose of holding a public hearing, as provided by K.S.A. 12-6a01 *et seq.*, at City Hall, 701 Washington in the City, on August 2, 2000 at 4:00 p.m. Said public hearing is for the purpose of hearing any and all oral or written objections to proposed assessments in connection with the following described improvements:

**Project No. 1 – Concordia Apartments – Street, Water, Sewer and Alley**

**Resolution No. 98-1243**

- (i) Street Improvements—The grading, curbing, guttering and surfacing of 17<sup>th</sup> Street and related off street parking, attached to 17<sup>th</sup> Street and located in the 17<sup>th</sup> Street easement between Archer Street and Hill Street in the City;
- (ii) Water Line Improvement—A six-inch water line and appurtenances constructed in the 17<sup>th</sup> Street easement between termini located in 17<sup>th</sup> Street and Hill Street in the City;
- (iii) Sanitary Sewer Improvement—An eight-inch sanitary sewer line and appurtenances in the alley in Block Twenty-one (21) between Archer Street and Hill Street in the City; and
- (iv) Alley Improvement—The grading and surfacing of the alley in Block Twenty-one (21) between Archer Street and Hill Street, in the City.

**Property Description:**

Lots 8 – 13, inclusive, Block 40; and Lots 1 – 7, inclusive, Block 21, in the City of Concordia, Cloud County, Kansas, according to the recorded Plat thereof.

**Cost of Improvements:**

\$114,105.11.

**Project No. 2 – 21st Street - Street**

**Resolution No. 98-1223**

Construct, pave, curb and gutter approximately 470 linear feet of 21<sup>st</sup> Street from State Street to Washington Street.

**Property Description:**

JLN\402479\ASSESSMENTS

PMHEA TRACT: A tract of land in the South Half (S1/2) of the Southwest Quarter (SW1/4) of Section Four (4), Township Six (6) South, Range Three (3) West of the 6th P.M., in Cloud County, Kansas, described as follows: Beginning at a point on the East line of State Street in the City of Concordia, 500.62 feet South of the North line of the South Half (S1/2) of the Southwest Quarter (SW1/4) of Section Four (4), Township Six (6) South, Range Three (3) West, said point being the intersection of the North line of College Hill Addition and the East line of State Street in said city; thence East along the North line of the College Hill Addition on an assumed bearing of S 90°59'51" E., 450.00 feet, thence North parallel to the East line of State Street on a bearing of N 0°0'0" E. 210.31 feet; thence West on a bearing of N 90°59'51" W. 450.00 feet to the East line of State Street in said city; thence South along the East line of State Street, 210.31 feet to the point of beginning. Containing 2.17 acres, more or less, all in the City of Concordia, Cloud County, Kansas.

**Cost of Improvements:**

\$94,823.48; \$81,931.08 to be assessed; City paying the difference between concrete and asphalt.

**Project No. 3 – Olive Street South Sewer Collection System**

**Resolution No. 99-1261**

Installation of new sewer collection system running south on Olive Street to the alley between 18th and 19th streets, then east, following the alley past Spruce Street.

**Property Description:**

Lots 1 through 18, inclusive in Block 18, the West One Half (W 1/2) of Lot 5, Lots 6 through 13, inclusive, and the West One Half (W1/2) of Lot 14, in Block 19, all in the Original Town of Concordia, Cloud County, Kansas.

**Cost of Improvements:**

\$45,763.25; 69.85% to be assessed; 30.15% City-at-large.

An Assessment Roll prepared in accordance with the referenced Resolution(s) approved by the City Commission is on file in the Office of the City Clerk and may be examined by any interested party. At the conclusion of the public hearing, the City Commission will consider an Ordinance levying such special assessments.

DATED July 19, 2000.

/s/Cheryl Lanoue, City Clerk

**EXHIBIT D**

**NOTICE OF HEARING  
AND  
STATEMENT OF COST PROPOSED TO BE ASSESSED**

July 21, 2000  
Concordia, Kansas

Property Owner:

You are hereby notified, as owner of record of the property described on *Schedule I* attached hereto, that there is proposed to be assessed against said property, certain amounts for the costs of certain internal improvements (the "Improvements") heretofore authorized by the City Commission of the City of Concordia, Kansas (the "City"). The description of the Improvements, the resolution number authorizing the same and the proposed amount of assessment are set forth on *Schedule I* attached hereto.

You are hereby further notified that the City Commission of the City will meet on August 2, 2000; at 4:00 p.m., at City Hall, 701 Washington, in the City, for the purpose of considering the proposed assessments.

The proposed Assessment Roll is on file in my office for public inspection. ***WRITTEN OR ORAL OBJECTIONS TO THE PROPOSED ASSESSMENTS WILL BE CONSIDERED AT SAID PUBLIC HEARING.***

At the conclusion of the public hearing, the governing body of the City will consider an ordinance levying such special assessments. A subsequent Notice of Assessment will be mailed to affected property owners at that time indicating that each property owner may pay the assessment in whole or in part within 30 days of the date of such notice. Any amount not so paid within 30 days will be collected in annual installments over a period of 15 years together with interest thereon at the rate obtained by the City for its general obligation bonds issued to finance the costs of the Improvements.

Cheryl Lanoue, City Clerk

*SCHEDULE I*

**CONCORDIA APARTMENTS – STREET, WATER, SEWER AND ALLEY  
RESOLUTION NO. 98-1243**

<b>Description of Property</b>	<b>Amount Proposed to be Assessed</b>
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*SCHEDULE I*

**21ST STREET - STREET  
RESOLUTION NO. 98-1223**

Description of Property	Amount Proposed to be Assessed
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***SCHEDULE I***

**OLIVE STREET SOUTH SEWER COLLECTION SYSTEM  
RESOLUTION NO. 99-1261**

<b>Description of Property</b>	<b>Amount Proposed to be Assessed</b>
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## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 2, 2000

The governing body met in regular session on August 2, 2000, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Ferguson, Strecker and Bombardier.

Absent: None

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

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

Visitors: Armand Balthazor, Judith McKee, Joe Jindra, Burl Maley, Larry Remmenga, Wynndee Lee, Roberta Lowery, Kirk Lowell, Dale Simpson, Bruce Harris, Tom Fisher, Jordan Hinman, Keiko Kinoshita, Amanda Hinman, Stacy Hinman, Kali Hinman, Leah Lowell, Nanase Inoue, Taxian Ito, Ben Swenson, Denise Swenson, Kevin Swenson, Doug Rogers, Amber Rogers, Marino Kaneko, Sintaro Ohira, Devin Lowell, Jim Lowell, Derek Begnoche, Gary Begnoche, Mary Thoman, Eldon Wisdom, Yoshida Takeiski, Jack Gould, Nicolette Begnoche, Rans Lowell, Dale Ferguson and Brad Lowell.

Minutes of the July 19, 2000 regular meeting were approved as written.

### APPROPRIATION ORDINANCE NO. 14

APPROVED

Appropriation Ordinance No. 14 was approved according to law.

### KP&L FRANCHISE UPDATE

TABLED

Don Willson stated that the school board members have some concerns with the increase and that it would be money from the taxpayers but to different entities.

Bruce Harris, Kansas Gas Service, stated that he would be willing to review and look at different options with city staff.

Following discussion, Commissioner Strecker moved to have the City Manager and city staff review the franchise fee ordinance with Kansas Gas Service and to table it until September 20, 2000. Commissioner Ferguson seconded.

### SKYLINE PLAT

TABLED

City Manager advised the commissioner that the city had not received the plat.

Commissioner Ferguson moved to table the Skyline Plat to August 16, 2000. Commissioner Strecker seconded. Motion carried.

### RESOLUTION NO. 2000-1338 - PERSONNEL POLICY UPDATES

PASSED

City Manager Smith advised the commission that the proposed amendments would be to the areas of definitions, general provisions, compensation, attendance and leave, employee conduct, separation, cell phone policy.

Thereupon, there was presented a Resolution:

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

Aye: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2000-1338, and was directed to be signed by the Mayor and attested by the City Clerk.

### PRESENTATION - 4-H EXCHANGE STUDENTS

Doug Rogers stated that there were eight (8) children and one (1) Adult on the Exchange and introduced them.

Mayor Ferguson presented pencils, pins and a key to the City to each person and they presented gifts to her.



BID AWARD - TEMPORARY NOTE

UMB Bank, Kansas City, MO

The Clerk reported that proposals for the purchase of \$900,000 principal amount of Temporary Notes, Series 2000-1, dated August 1, 2000, of the City had been received.

Thereupon, the governing body reviewed and considered the proposals and it was found and determined that the proposal of UMB Bank, n.a., Kansas City, Missouri, was the best bid for the Notes, a copy of which is attached hereto as *Exhibit A*.

Commissioner Strecker moved that said bid be accepted and that the Mayor and Clerk be authorized and directed to execute the bid form selling the Notes to the best bidder on the basis of said bid and the terms specified in the Notice of Note Sale. The motion was seconded by Commissioner Bombardier.

RESOLUTION NO. 2000-1339

PASSED

Thereupon, there was presented a Resolution entitled:

A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF \$900,000 PRINCIPAL AMOUNT OF TEMPORARY NOTES, SERIES 2000-1, 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 Bombardier 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 Ferguson, Strecker and Bombardier.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2000-1339 and was signed by the Mayor and attested by the Clerk.

BID AWARD - DEMOLITION - 303 E. 6TH-MEYER

Director of Community Development Wynndee Lee advised the commission that the city received bids from the following for the removal of the unsafe and dangerous structure at 303 E. 6th.

Victor Collins Construction	\$4,200
Smith Construction	\$1,800

Ms. Lee asked that the commission to consider accepting the low bid from Smith Construction in the amount of \$1,800.

PUBLIC HEARING - SPECIAL ASSESSMENT  
CONCORDIA APARTMENTS I, 21ST STREET,  
SANITARY SEWER-COLLINS, WISDOM AND SIMPSON

HELD

The Mayor opened a public hearing for the purpose of receiving written or oral objections and considering proposed assessments for the costs of certain internal improvements heretofore authorized by the City Commission of the City. It was determined by the City Commission that notice of the public hearing was duly published and mailed in accordance with K.S.A. 12-6a01 *et seq.* Dale Simpson asked about how the cost was calculated. Mr. Remmenga answered the question. Thereafter, the Mayor adjourned the public hearing.

ORDINANCE NO. 2000-2782 - ASSESSMENT  
 CONCORDIA APARTMENTS I, 21ST STREET,  
SANITARY SEWER-COLLINS, WISDOM AND SIMPSON

PASSED

Thereupon, an Ordinance was presented entitled:

**AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF CONCORDIA, KANSAS, AS HERETOFORE AUTHORIZED BY RESOLUTION NOS. 98-1243, 2000-1337, 98-1223 AND 99-1261 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.**

The Ordinance was considered and discussed; and on motion of Commissioner Ferguson seconded by Commissioner Bombardier the Ordinance as a whole was passed by the following roll call vote:

Yes: Commissioners Ferguson, Strecker and Bombardier.

No: None.

Thereupon, a majority of the members of the City Commission having voted in favor of the adoption of the Ordinance, it was given No. 2000-2782, was approved and signed by the Mayor and attested by the City Clerk; and the City Clerk was ordered to cause the Ordinance to be published one time in the official City newspaper as required by law, and to cause to be mailed a Notice of Assessment to each and all of the known property owners affected thereby on the same date that the Ordinance is published.

ELDON WISDOM COMMENTS

Mr. Wisdom advised the commission that he would be willing to donate the section of land that was going to be assessed for the sanitary sewer improvements to use as a park or cemetery. Following discussion, Commissioner Bombardier moved to have the City Manager and staff talk to Mr. Wisdom regarding the land issue. Commissioner Strecker seconded. Motion carried.


PUBLIC COMMENTS

Mr. Balthazor asked some questions on the franchise fee and why the city doesn't do its own demolition.

CITY MANAGER'S COMMENTS

Mr. Smith stated that the Public Notice on the budget would be published on Friday August 4, 2000 and that the Sports Complex had received donations and that there would be a ground breaking later this month. Mr. Smith also advised that there would be a luncheon for Judith McKee on August 9, 2000 at noon.

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

  
 Cheryl Lanoue  
 City Clerk

(Seal)

## EXHIBIT A

**BID TABULATION**

**\$900,000**  
**CITY OF CONCORDIA, KANSAS**  
**TEMPORARY NOTES**  
**SERIES 2000 1,**  
**DATED AUGUST 1, 2000**

**Sale Date: Wednesday, August 2, 2000, 2:00 p.m. CDT**

<b>BIDDER</b>	<b>NET INTEREST COST</b>	<b>AVERAGE ANNUAL NET INTEREST RATE</b>	<b>PREMIUM</b>
UMB Bank, N.A., Kansas City, Missouri	\$89,082.90	4.949050%	\$17.10
Country Club Bank, N.A., Kansas City, Missouri	\$92,250.00	5.125%	None
Midwest Capital Management, Inc., Kansas City, Missouri	\$94,500.00	5.25%	None

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 16, 2000

The governing body met in regular session on August 16, 2000, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Ferguson, Strecker and Bombardier.

Absent: None

Other Officers: City Manager Smith, Assistant City Attorney Vernon and Deputy City Clerk Deneault.

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

Visitors: Ima Jean Chavey, Melvin Kennedy, Kirk Lowell, Greg Hattan, Tom Fisher, Larry Remmenga, Burl Maley, Roberta Lowery, Judith McKee, Wynndee S. Lee, Armand Balthazor, Ken Johnson, Lee Doyen, Dale Ferguson, Brad Lowell, Joe Jindra, Roy Reif and Carol Shrader Dahlston.

Minutes of the August 2, 2000 regular meeting were approved as written.

### APPROPRIATION ORDINANCE NO. 15

APPROVED

Appropriation Ordinance No. 15 was approved according to law.

### SKYLINE PLAT

Verna Ferguson, Mayor, advised the commission the Skyline Plat will be presented at the August 18, 2000 meeting.

### ORDINANCE NO. 2000- 2783 (POSSIBLE INCREASE IN TAXES FOR 2001)

APPROVED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE ATTESTING TO THE POSSIBLE INCREASE IN TAXES LEVIED FOR BUDGET YEAR 2001 NECESSARY TO FINANCE PUBLIC SERVICES FOR THE CITY OF CONCORDIA, KANSAS:

Thereupon, Commissioner Bombardier 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 City Commission, the vote being as follows:

Yes: Commissioners Bombardier, Strecker and Ferguson.

No: None

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2000-2783 and was signed and approved by the Mayor and attested by the Clerk.

### PUBLIC HEARING 2001 BUDGET

HELD

Mayor Ferguson opened the public hearing for the 2001 Budget.

Dr. Greg Hattan was present to voice his concern about several issues in regard to the 2001 budget. The first issue was the decline in the cash reserves in the general fund. Dr. Hattan stated that the city's cash reserves have been declining and with passage of the 2001 budget the city's reserves would be depleted. He asked the commission how they were going to replenish those reserves once they were gone. Mayor Ferguson stated that the commission is aware of this and that they are aware that the city operates under the cash basis law, which means they don't spend what the city does not have. Dr. Hattan was still concerned about the city's cash reserves in the general fund and asked how the commission was planning on replenishing those funds. With little or no idle funds the city would also lose the interest from investing those reserves, which means another loss of revenue. Dr. Hattan also inquired about the transfer of funds from water and sewer to administration in the general fund in the 2001 budget. Dr. Hattan stated that the water rate increase in 1998 was supposed to generate additional revenues to be used for projects within that department. If those funds were being transferred to the general fund how was the city going to complete those projects. City Manager Smith said that some of the projects could be included in the TIF District and the other projects were still being considered. The money being transferred was necessary for the water and sewer department to cover its share of administration costs. Another issue of concern for Dr. Hattan was the projected revenues on the 2001 budget. He was asking how they could be estimated at \$975,000 when that was not even close to the average of previous years. There was a chance for sales tax to increase but he did not feel the city could expect that much of an increase in sales tax for the year 2001. Mayor Ferguson stated that they are estimating sales tax revenues to be higher because of the new Wal-Mart and the commission is checking into the possibility that the state is not returning the proper amount of sales tax to the city. She said other cities were questioning sales tax returns by the state as well as the City of Concordia.

Next Ima Jean Chavey took the floor with questions for the commission. Ms. Chavey wanted to know where the city was with the Kloster case and what had happened to the unavailable funds that were shown on the city's quarterly report. City Manager Smith said that the city was involved in a lawsuit with the

# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 16, 2000, contd.**

city's insurance carrier in an effort to try and recover some of the city's money. Ima Jean asked why the city was only trying to recover \$50,000.00 when the city was out \$100,000.00. Manager Smith said that \$50,000 was the amount of the insurance policy. Increasing the budget for Community Development was another concern by Ms. Chavey. Wynndee Lee explained that there were a number of things that the department was doing that required an increase in the budget, including a shift in personnel.

Another item of concern with Ima Jean was that it appeared the city was getting a 10% increase in the current budget when 3% is the actual cost of inflation and most people would not like that.

Armand Balthazor was present to express his opinion about the budget for 2001. Many of the questions he had for the commission had already been addressed but he wanted to know why we are adding new positions when it was obvious we did not have the funds for this. He felt the city should put a freeze on new positions. If our population was growing it would be different but he did not feel the town was growing and that we should put more emphasis on bringing factories or plants to Concordia. The city manager said that he had not seen the latest census figures but there is growth in Concordia when you look at some of the things being built like the Marquis Place, Pawnee Mental Health, Westview and AgMark.

Mayor Ferguson stated the city would be levying 57.712 mills.

There being no further comments, Mayor Ferguson closed the public hearing.

## **ORDINANCE NO. 2000-2784 - ADOPTING THE 2001 BUDGET)**

**APPROVED**

Thereupon there was presented an Ordinance entitled:

**AN ORDINANCE APPROVING, ADOPTED AND APPROPRIATING BY FUND THE CITY OF CONCORDIA FOR THE YEAR BEGINNING JANUARY 1, 2001, BE IT ORDAINED BY THE GOVERNING BODY 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 City Commission, the vote being as follows:

Yes: Commissioners Bombardier, Strecker and Ferguson.

No: None

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2000-2784 was signed and approved by the Mayor and attested by the Clerk.

## **RESOLUTION NO. 2000-1340 (CLASSIFIED EMPLOYEES)**

**APPROVED**

Thereupon there was presented a Resolution entitled:

**A RESOLUTION ESTABLISHING A SCHEDULE OF PAY GRADES FOR CLASSIFIED EMPLOYEES OF THE CITY OF CONCORDIA, KANSAS:**

Thereupon, Commissioner Bombardier moved that said Resolution be passed. The motion was seconded by Commissioner Ferguson. 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 City Commission, the vote being as follows:

Yes: Commissioners Bombardier, Strecker and Ferguson.

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Ordinance No. 2000-1340 and was signed and approved by the Mayor and attested by the Clerk.

## **RESOLUTION NO. 2000-1341 (NON-CLASSIFIED EMPLOYEES)**

**APPROVED**

Thereupon there was presented a Resolution entitled:

**A RESOLUTION ESTABLISHING A SCHEDULE OF PAY GRADES FOR NON-CLASSIFIED EMPLOYEES OF THE CITY OF CONCORDIA, KANSAS:**

Thereupon, Commissioner Strecker moved that said Resolution be passed. The motion was seconded by Commissioner Bombardier. 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 City Commission, the vote being as follows:

Yes: Commissioners Bombardier, Strecker and Ferguson.

No: None

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 16, 2000, contd.**

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Ordinance No. 2000-1341 and was signed and approved by the Mayor and attested by the Clerk.

**PUBLIC HEARING - FOR CONCORDIA REDEVELOPMENT PLAN HELD**

Mayor Ferguson opened the public hearing for the Skyline Redevelopment District.

There were no comments.

Mayor Ferguson closed the public hearing.

**ORDINANCE NO. 2000- 2785 - SKYLINE REDEVELOPMENT PLAN APPROVED**

Among other business, in accordance with notice published in the *Concordia Blade-Empire* delivered to the Board of County Commissioners of Cloud County and the Board of Education of Unified School District No. 333, and mailed to affected property owners, a public hearing was held by the governing body relating to a proposed redevelopment plan pursuant to the provisions of K.S.A. 12-1770 *et seq.* (the "Act"). The City Manager presented the proposed redevelopment plan and comprehensive feasibility study required by the Act. Thereafter, all interested persons were afforded an opportunity to present their views on such matters. Thereupon, the public hearing was closed.

Thereupon, there was presented to the City Commission an Ordinance entitled:

**AN ORDINANCE OF THE CITY OF CONCORDIA, KANSAS ADOPTING A REDEVELOPMENT PLAN FOR USE IN CONJUNCTION WITH A PREVIOUSLY ESTABLISHED REDEVELOPMENT DISTRICT, DECLARING AN INTENT TO FINANCE A REDEVELOPMENT PROJECT WITHIN SUCH REDEVELOPMENT DISTRICT WITH FULL FAITH AND CREDIT TAX INCREMENT BONDS OF THE CITY, AND MAKING CERTAIN FINDINGS IN CONJUNCTION THEREWITH.**

The Ordinance was considered and discussed; and thereupon on motion of Commissioner Bombardier, seconded by Commissioner Strecker, the Ordinance was passed by the following roll call vote:

Aye: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

Thereupon, the Ordinance having been adopted by a 2/3rds vote of the members of the City Commission, it was given No. 2000-2785, and was directed to be signed by the Mayor, attested by the City Clerk and directed to be published one time in the official City newspaper.

**RESOLUTION NO. 2000-1342 - SUPPORTING 1% COUNTY WIDE SALES TAX PASSED**

Kirk Lowell was present to discuss a county-wide one percent (1%) sales tax that is being proposed. This tax would be on the November ballot if the support is there from the various communities in the county. Kirk stated that is why he has been going from town to town to see if the support is there and to find out what each community would like to see the additional tax money used for if the people of Cloud County vote in favor of the one percent (1%) county wide tax. The County Commissioners have the authority to place on the ballot at election time a question calling for the levy of a one percent (1%) sales tax county-wide. The city commission stated that the city's share of the one percent (1%) county tax, if adopted, would be dedicated to the economic and community development and those costs associate with that development.

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

Aye: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2000-1342, and was directed to be signed by the Mayor and attested by the City Clerk.

**BID AWARD – K-9 – CLOUD TO EAST CITY LIMITS NOWAK CONSTRUCTION**

Ken Johnson advised the commission on August 8, 2000 the City received four bids on the 5th Street (Cedar to Willow Streets) water main replacement.

<u>Nowak Const.</u>	<u>APAC-Kansas</u>	<u>Midlands Const.</u>	<u>Smoky Hill</u>
\$85,596.32	\$120,217.00	\$90,650.50	\$109,877.50

The low bid was \$85,596.32 and was submitted by Nowak Construction. This is under the engineer's estimate of \$105,688.00. Nowak Construction has a projected start date of October 1, 2000 and a completion date of December 1, 2000. Commissioner Strecker moved to accept the bid from Nowak Construction for \$85,596.32. Commissioner Bombardier seconded. Motion carried.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 16, 2000, contd.**ORDINANCE NO. 2000-2786 – TREE & SHRUBAPPROVED

Thereupon, there was presented a Ordinance entitled:

AN ORDINANCE ESTABLISHING FOR THE CITY OF CONCORDIA A TREE AND SHRUB ORDINANCE; REPEALING THE EXISTING CHAPTER 24 OF THE CONCORDIA CITY CODE AND AMENDING THE CONCORDIA CITY CODE BY ADDING A NEW CHAPTER 24 ENTITLED CITY OF CONCORDIA TREE AND SHRUB ORDINANCE.

Thereupon, Commissioner Ferguson 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: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2000-2786 and was signed by the Mayor and attested by the Clerk. The Clerk was further directed to publish the Ordinance one time in the official City newspaper.

PERMANENT RIGHT-OF-WAY AND  
TEMPORARY CONSTRUCTION EASEMENT-13TH STREET

ACCEPTED

Stan Smith, City Manager advised the commission that a temporary construction easement and a permanent right-of-way were needed for the widening of 13th Street just west of Highway 81. Commissioner Strecker moved to accept the permanent right-of-way and temporary construction easement for the 13th Street widening project. Commissioner Bombardier seconded. Motion carried.

RESOLUTION NO. 2000-1343 - IRB - AGMARKPASSED

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 \$8,500,000 TO PAY THE COSTS OF ACQUIRING, CONSTRUCTING AND EQUIPPING CERTAIN EXTENSIONS AND IMPROVEMENTS TO AN EXISTING COMMERCIAL GRAIN HANDLING AND STORAGE FACILITY TO BE LEASED TO AGMARK, LLC, WHICH FACILITY IS LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS.

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

Aye: Commissioners Ferguson, Strecker and Bombardier.

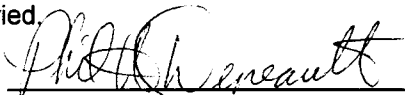
Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2000-1343, and was directed to be signed by the Mayor and attested by the City Clerk.

PUBLIC COMMENTS

Lee Doyen was present to discuss the problem of the city running out of cemetery space. He said that the Urban Breault property west of the college is going to be sold at auction and the city should seriously consider purchasing this property to make available more cemetery space in the future. Mr. Doyen stated that if we let this land slip away we may not have another chance because there is no other land available that is close to the existing cemetery. Mayor Ferguson stated that the Commission is looking at cemetery expansion.

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

  
\_\_\_\_\_  
Phil Deneault  
Deputy City Clerk

(Seal)

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD AUGUST 18, 2000**

The governing body met in adjourned session on August 18, 2000, 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 Ferguson.

Absent: None.

Other Officers: City Attorney Vernon and Deputy City Clerk Deneault.

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

Visitors: Beldon Blosser, Dave Swenson, Wynndee Lee, Kenneth Johnson, Roger Reif, Tom Fisher, Larry Remmenga, David Lee and Kirk Lowell.

**BLOSSER SKYLINE PLAT****ACCEPTED**

Wynndee Lee, Community Development Director, advised the commission that the city received the Skyline Plat.

Following discussion, Commissioner Strecker moved to accept the Blosser Skyline Plat, Phase I dedicated rights-of-way and easements, along with easements shown but dedicated by separate documents. Commissioner Ferguson seconded. Motion carried. (In his motion Commissioner Strecker said it should be noted, that this plat is the plat with the changes and the changes have not been reviewed by the Planning Commission.)

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



Phil Deneault  
Deputy City Clerk

(Seal)



**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 6, 2000**

The governing body met in regular session on September 6, 2000, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Ferguson, Strecker and Bombardier.

Absent: None

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

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

Visitors: Dale Ferguson, Brad Lowell, Joe Jindra, Marsha Wentz, Don Willson, Jerry Istas, Beldon Blosser, Burl Maley, Jack Widen, Wynndee Lee, Tom Fisher, Kirk Lowell, Armand Balthazor, Larry Remmenga, Ed Pick and Don Dean.

PROCLAMATION – AMERICA GOES BACK TO SCHOOL MONTH

Mayor Ferguson read the proclamation declaring the month of September as "America Goes Back to School" Month.

Minutes of the August 16, 2000 regular meeting and August 18, 2000, Adjourned Meeting were approved as written.

APPROPRIATION ORDINANCE NO. 16

APPROVED

Appropriation Ordinance No. 16 was approved according to law.

RESOLUTION NO. 2000-1344

APPROVED

Mayor Ferguson 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. Barbara Ryals, 431 E 1<sup>st</sup>

Wynndee Lee advised the commission of the property.

No one was present to represent the property owner.

Commissioner Bombardier moved and seconded by Commissioner Ferguson to approve Resolution No. 2000-1344 with zero (0) days. Motion carried.

RESOLUTION NO. 2000-1345

APPROVED

Mayor Ferguson 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. John and Denise Bisnette, 236 W. 2nd

Wynndee Lee advised the commission of the property.

No one was present to represent the property owner.

Commissioner Bombardier moved and seconded by Commissioner Ferguson to approve Resolution No. 2000-1345 with seven (7) days. Motion carried.

BID AWARD - WESTVIEW ON 8TH - 3RD AVE. STREET

BRYANT & BRYANT

Don Dean, Campbell and Johnson advised the commission on August 23, 2000 the city received two bids on the Westview on 8th - 3rd Avenue Street construction.

Bryant & Bryant Const.

Wrench Const.

\$141,555.70

\$172,115.30

The low bid was \$141,555.70 submitted by Bryant & Bryant Construction. This is under the engineer's estimate of \$179,455.00. Bryant & Bryant Construction projected start date is September 1, 2000 or as soon as they can receive a contract. Commissioner Strecker moved to accept the low bid from Bryant & Bryant Construction in the amount of \$141,555.70. Commissioner Bombardier seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 6, 2000, contd.

BID AWARD - KANSAS STREET/COOP - STREET CONSTRUCTION BRYANT & BRYANT

Don Dean, Campbell and Johnson advised the commission on August 29, 2000 the city received three proposals for the Kansas Street/Coop street construction. The following bids were received.

<u>APAC Kansas</u>	<u>Bryant &amp; Bryant Constr.</u>	<u>Wrench Constr.</u>
\$66,967.80	\$62,672.50	\$72,873.20
with alt. 68,784.80	64,289.50	74,560.20
The low bid with the alternate for the project was \$64,289.70 submitted by Bryant & Bryant Construction. This is under the engineer's estimate of \$74,220.96. Bryant & Bryant Construction has a projected starting date of November 1, 2000. Commissioner Bombardier moved to accept the low bid from Bryant & Bryant Construction in the amount of \$64,289.50. Commissioner Strecker seconded. Motion carried.		

BID AWARD - 13TH STREET - STREET CONSTRUCTION BRYANT & BRYANT

Ken Johnson advised the commission on August 29, 2000 the city received three bids on the 13th Street construction project.

<u>APAC Kansas</u>	<u>Bryant &amp; Bryant Constr.</u>	<u>Wrench Constr.</u>
\$70,751.50	\$63,422.70	\$71,860.80

Mr. Dean explained there was an alternate bid received but he recommended the alternate bid not be used. The low bid for the project was \$63,422.70 submitted by Bryant & Bryant Construction. This is under the engineer's estimate of 76,535.25. Bryant & Bryant Construction has a projected starting date of October 16, 2000. Commissioner Strecker moved to accept the low bid from Bryant & Bryant Construction in the amount of \$63,422.70. Commissioner Bombardier seconded. Motion carried.

VOTING DELEGATES TO 2000 LEAGUE CONFERENCE

Commissioner Ferguson moved to appoint Isadore Bombardier and Joe Strecker, as voting delegates to the 2000 League Conference. Commissioner Bombardier seconded. Motion carried.

Commissioner Ferguson moved to appoint Stanley Smith and Wynnndee Lee, as alternate voting delegates. Commissioner Bombardier seconded. Motion carried.

SUNSET HOME MAINTENANCE AGREEMENT ACCEPTED

City Manager Smith advised the commission on the agreement with Sunset Home/Westview on 8th which is for the temporary maintenance of a storm drain inlet with what is called a "soil saver" constructed on the back side of an inlet on the west side of the proposed 3rd Avenue street project.

Commissioner Ferguson moved to accept the agreement with Sunset Home, Inc., d/b/a Westview on 8th. Commissioner Bombardier seconded. Motion carried.

RESOLUTION NO. 2000-1346 - 417 E. 9<sup>TH</sup>  
RONALD R. MCMILLAN PROPERTY APPROVED

Wynnndee Lee, Director of Community Development, advised the commission that a fire had damaged the structure. Ms. Lee advised per the City's Ordinance on Fire proceeds, the city must take action within thirty (30) days of receipt of money. Ms. Lee advised that she had been in contact with the property owner. Ms. Lee read a letter that the property owner had sent as follows:

"Please give my apologies to those concerned for being remiss in complying with the cities wishes concerning the house at 417 E 9<sup>th</sup>. I was assured that things had been taken care of shortly after the fire. Obviously that was not the case. I have a summer business in Alaska so my mail is forwarded hence the time delay.

The furniture items have been removed from the yard and the house will be closed up tomorrow, Saturday Sept. 2.

I am still waiting on an insurance check before proceeding with doing anything with the house. I realize that you received your check for the lien on the proceeds but they haven't been forthcoming with mine. I'm told it will be done shortly.

I hereby ask the City Commission of Concordia to not condemn the property with faith that I am pursuing an end to the problem. Again I state that I cannot do anything until I have the matter settled financially."

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 6, 2000, contd.**

Thereupon, there was presented a Resolution entitled:

A RESOLUTION SETTING THE PUBLIC HEARING DATE AND TIME TO CONSIDER WHETHER A STRUCTURE SHOULD BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED. HEARING DATE IS SET FOR OCTOBER 18, 2000 AT 4:00 P.M. AT CITY HALL, CITY OF CONCORDIA, KANSAS.

Thereupon, the Resolution was considered and discussed, and on motion by Commissioner Strecker, seconded by Commissioner Bombardier, the Resolution was adopted by vote of the majority of all members present.

Thereupon, the Resolution, having been adopted by a majority vote of the members of the governing body, it was given No. 2000-1346, and was directed to be signed by the mayor and attested by the city clerk.

USD #333DISCUSSION

Marsha Wentz, President of the School Board, stated that the school district is looking at building a new middle school to house the 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grade students. Ms. Wentz stated that the board is looking at the property east of the Elementary School. They would want to build the new Middle School and two (2) soccer fields and one (1) football field. She noted that the Nicole Reinwald field would have to be moved, but that would replace it and enlarge the field. Ms. Wentz stated that the Middle School would be where the Alternative High School would be housed and the Junior High building would be used for Science and Graphic Arts. Following discussion, Commissioner Ferguson and Bombardier stated that the commission needed to confer with staff before they made a recommendation. They advised Ms. Wentz that the City would have an answer by September 20, 2000.

MAYOR COMMENTS

Mayor Ferguson thanked Tom Fisher, Director of Public Works and his crew for doing a very nice job on the new curb, gutter and sidewalk at the corner of 6th Street and Broadway.

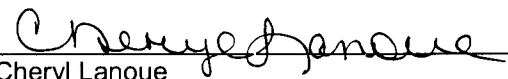
PUBLIC COMMENTS

Armand Balthazor asked about the \$50,000 on the Kloster issue. City Manager Smith advised that this issue is in litigation.

Mr. Balthazor wanted to know if monies were being transferred from the water department to the general fund. City Clerk Lanoue advised that we don't transfer monies from the water department to the general fund, but we do pay 1/2 of some salaries and expenditures out of the water department.

Kirk Lowell, Clouddcorp, advised the commission that a protest petition is being circulated on the TIF Bonds. Mr. Lowell stated that on 2-23-00 the city commission passed a resolution that would authorize GO bonds for the infrastructure of Wal-Mart. Mr. Lowell stated that if the city had a twenty-year bond issue at 5.5% with annual payments, the payment would be approximately \$198,000 or approximately 10 mills based on the 2000 estimated assessed valuation. Mr. Lowell advised that the Concordia Redevelopment District is all ready established and the monies would pool.

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 SEPTEMBER 20, 2000

The governing body met in regular session on September 20, 2000, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Ferguson, Strecker and Bombardier.

Absent: None

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

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

Visitors: Armand Balthazor, Bruce Harris, Kent Anderson, Burl Maley, David Lee, Larry Remmenga, Ken Johnson, Tom Fisher, Suzy Tuggle, Wynndee Lee, Christine Macarotte, Jerry Istas, Sharon Coy and Joe Jindra.

Minutes of the September 6, 2000 regular meeting were approved as written.

### APPROPRIATION ORDINANCE NO. 17

APPROVED

Appropriation Ordinance No. 17 was approved according to law.

### RESOLUTION NO. 2000-1347

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE ENFORCING OFFICER PURSUANT TO K.S.A. 12-1750 ET SEQ., AS PROVIDED BY SECTION 7-47 (C) OF THE CODE OF ORDINANCES OF THE CITY OF CONCORDIA, KANSAS, HAS INFORMED THE GOVERNING BODY THAT IN HIS OPINION THE FOLLOWING STRUCTURE AND GARAGE IS UNSAFE AND DANGEROUS. (440 W. 7TH)

Thereupon, Commissioner Ferguson 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 City Commission, being as follows:

Aye: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2000-1347 and was signed by the Mayor and attested by the Clerk.

### KP&L FRANCHISE AGREEMENT

Larry Vernon, presented to the commission the options that they had at this time.

1. Do nothing, in which case the franchise fee will remain at 5% for another five years, and in which case the city can expect to see an increase in franchise receipts for the coming winter due to increased gas prices.
2. Raise the franchise fee to 6%. This would result in the largest possible revenue increase to the city and would add 1% to the bills of all of the gas customers in the city who purchase gas from KGS.
3. Leave the franchise fee at 5%, but enter into a new franchise agreement and enact a new franchise ordinance, so as to apply the franchise fee to all customers in the city. This would have no effect on city residents who use less than 3,000 mcf per year, but would add 5% to the gas bills of customers who use more than that amount.
4. Leave the franchise fee at 5% for customers who use less than 3,000 mcf per year, but enter into a new franchise agreement and enact a new franchise ordinance so as to apply a franchise fee of 1% up to 4% for customers using more than 3,000 mcf.

Mr. Smith advised the commission that they could leave the agreement the same or increase the franchise by one (1) percent or that the commission could negotiate with Kansas Gas Service a new agreement.

Following discussion, Commissioner Bombardier moved that no action be taken at this time and to direct the city attorney to prepare an agreement between the City and Kansas Gas Service that stated the city would review the franchise agreement in 2001 for possible changes to take place in 2002. Commissioner Strecker seconded. Motion carried.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 20, 2000, contd.****RECOMMENDATION - USD #333**

Mr. Smith advised that staff's recommendation is that the City Commission agree to support the request of USD 333, but with condition that a written agreement be entered into regarding the request outlining responsibilities of both entities regarding elements of the project. Further, our recommendation is that the agreement is executed, but no land transfer takes place until after a successful bond election (proposed for early 2001).

Mr. Smith advised that staff had looked at the following areas:

1. Land Ownership
2. Land Use and Zoning – Which included fill dirt that is currently being taken from this area, review of the Comprehensive Plan and Zoning.
3. Safety(Vehicular and Pedestrian)
4. Streets and Parking
5. Utilities
6. Other – Relocation of the memorial field and citizens requested the city consider trade of property.

Mayor Ferguson asked if the School Board, Staff, and the City Commission could have a study session together sometime between October 2 and 6.

**ORDINANCE NO. 2000-2787 - CCHC BOND****APPROVED**

Thereupon, there was presented an ordinance entitled:

**AN ORDINANCE AUTHORIZING THE CITY OF CONCORDIA, KANSAS TO ISSUE ITS HEALTH CARE FACILITIES REVENUE BONDS, SERIES 2000 (CLOUD COUNTY HEALTH CENTER, INC.) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$478,353 FOR THE PURPOSES OF FINANCING THE ACQUISITION OF HOSPITAL EQUIPMENT; AUTHORIZING EXECUTION OF A MASTER LEASE AGREEMENT AND A SCHEDULE NO. 1 THERETO BY AND AMONG THE CITY, CLOUD COUNTY HEALTH CENTER, INC. AND GE CAPITAL PUBLIC FINANCE, INC.; AUTHORIZING THE CITY TO LEASE SUCH EQUIPMENT TO CLOUD COUNTY HEALTH CENTER, INC.; APPROVING THE FORM OF GUARANTY AGREEMENT BY AND BETWEEN CLOUD COUNTY HEALTH CENTER, INC. AND GE CAPITAL PUBLIC FINANCE, INC; AND AUTHORIZING SUCH OTHER ACTIONS AS ARE NECESSARY TO EFFECTUATE THE ISSUANCE OF SUCH BONDS.**

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: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

Thereupon, the Mayor declared said ordinance duly passed and the ordinance was then duly numbered Ordinance No. 2000-2787 and was signed by the Mayor and the signature attested by the City Clerk.

**RESOLUTION NO. 2000-1348 - ESTABLISHING SALE DATE****APPROVED**

The matter of providing for the offering for sale of \$1,170,000 principal amount of General Obligation Bonds, Series 2000, came on for consideration and was discussed.

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

**RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS, SERIES 2000, OF THE CITY OF CONCORDIA, KANSAS.**

Commissioner Strecker 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: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

The Mayor declared the Resolution duly adopted; the Clerk designating the same Resolution No. 2000-1348.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 20, 2000, contd.**ACCEPT CITY MANAGER STANLEY SMITH'S RESIGNATIONACCEPTED

Mayor Ferguson stated that she was glad to have Stanley Smith as the City Manager for the last two- (2) years and that Mr. Smith had brought the elected officials together in this community.

Commissioner Bombardier moved to accept Stanley Smith's resignation. Commissioner Strecker seconded. Motion carried.

CONTRACTOR FOR INFRASTRUCTURE IN THE SOUTH DEVELOPMENTSMOKEY HILL LLC

Mr. Smith advised that in order for the city to move quickly on the infrastructures of the south development the engineering firm, HWS has solicited proposals. Mr. Smith asked the commission to consider authorizing the city manager to sign the contracts. Commissioner Bombardier moved to authorize the city manager to sign the contracts with Smokey Hill LLC. Commissioner Strecker seconded. Motion carried.

PUBLIC COMMENTS

Kent Anderson, 1825 Crestview Dr., stated that he had a concern about individuals drilling wells near public wells, for contamination purposes and asked if the commission would look into this.

EXECUTIVE SESSION – NON-ELECTED PERSONNEL

At this time Commissioner Ferguson moved that the commission recess into executive session for twenty (20) minutes to discuss non-elected personnel. Commissioner Bombardier seconded. Motion carried. Inviting in City Manager Smith. Time: 4:45 p.m.

The commission reconvened at 5:03 p.m.

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

Commissioner Ferguson moved that the commission recess into executive session for additional fifteen- (15) minutes to discuss non-elected personnel and inviting Stanley Smith and Wynndee Lee. Commissioner Bombardier seconded. Motion carried. Time: 5:03 p.m.

The commission reconvened at 5:19 p.m.

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

Commissioner Ferguson moved that the commission recess into executive session for additional fifteen- (15) minutes to discuss non-elected personnel and inviting Stanley Smith and Wynndee Lee. Commissioner Bombardier seconded. Motion carried. Time: 5:19 p.m.

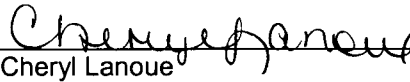
The commission reconvened at 5:27 p.m.

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

ELDON WISDOM COMMENTSTABLED

Eldon Wisdom stated that he had received a letter from Mr. Uri regarding the land that he wanted to donate the city. The letter stated the city would not accept the land with conditions being placed upon it. Mr. Wisdom asked the Commission to consider accepting the land and appointing a board that was ½ appointed by the commission ½ appoint by Mr. Wisdom, on the developments that happen on the land. Commissioner Bombardier moved to have staff research this and table until October 4, 2000. Commissioner Strecker seconded. Motion carried.

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

  
Cheryl Lanoue  
City Clerk

(Seal)

# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 4, 2000**

The governing body met in regular session on October 4, 2000, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Ferguson, Strecker and Bombardier.

Absent: None

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

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

Visitors: Armand Balthazor, Eric Johnson, David Lee, Richard Loeffler, Regina Loeffler, Tom Fisher, Larry Remmenga, Burl Maley, Kirk Lowell, Larry Uri, Wynndee Lee and Dale Ferguson.

Minutes of the September 20, 2000 regular meeting were approved as written.

## **APPROPRIATION ORDINANCE NO. 18**

**APPROVED**

Appropriation Ordinance No. 18 was approved according to law.

## **PLANNING COMMISSION REAPPOINTMENTS**

**DANIELLE ISTAS & LADONNA PELTIER**

Stanley Smith stated that Danielle Istas and LaDonna Peltier had been contacted and indicated a willingness to be reappointed. Commissioner Ferguson moved to reappoint Danielle Istas and LaDonna Peltier to the Planning Commission for three (3) terms, beginning 11-1-00 to 11-1-2003. Commissioner Strecker seconded. Motion carried.

## **RESOLUTION NO. 2000-1349(LAURA MCGEOCH, GEVINE & JOHN KEY)**

**APPROVED**

Mayor Ferguson 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. Laura M. McGeoch  
Gevine & John Key, 709 E 11<sup>th</sup>

Wynndee Lee advised the commission of the property.

No one was present to represent the property owner.

Commissioner Bombardier moved and seconded by Commissioner Strecker to approve Resolution No. 2000-1349 with zero (0) days. Motion carried.

## **LAND DISCUSSION - ELDON WISDOM**

**NOT ACCEPTED**

Larry Uri advised the commission that they could accept the land without strings attached. Commissioner Ferguson moved to not accept the land from Eldon Wisdom. Commissioner Bombardier seconded. Motion carried.

## **RESOLUTION NO. 2000-1350**

**APPROVED**

Cheryl Lanoue, City Clerk advised that the property owners, Brian & Jami A. Myers, were notified May 24, 2000 of a weed problem at 308 E. 12th. The nuisance was not abated and the Concordia Public Grounds Department abated the nuisance. The property owner has been billed in the amount of \$130.00 and the bill remains unpaid. Staff is recommending the City Commission consider passing a resolution to assess the amount of \$130.00 to the property taxes of the property owner. Commissioner Bombardier moved to pass Resolution No. 2000-1350 assessing the amount of \$130.00 to the property owner. Commissioner Strecker seconded. Motion carried.

## **RESOLUTION NO. 2000-1351**

**APPROVED**

Cheryl Lanoue, City Clerk advised that the property owners, Brian & Jami A. Myers, were notified May 24, 2000 of a weed problem at 308 E. 12th. As stated in the May 24, 2000 letter, "the property owner will not be renotified in this calendar year and if the weeds again reach 12" in height the city will abate the nuisance". The nuisance was not abated and the Concordia Public Grounds Department abated the nuisance. The property owner has been billed in the amount of \$60.00 and the bill remains unpaid. Staff is recommending the City Commission consider passing a resolution to assess the amount of \$60.00 to the property taxes of the property owner. Commissioner Strecker moved to pass Resolution No. 2000-1351 assessing the amount of \$60.00 to the property owner. Commissioner Bombardier seconded. Motion carried.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 4, 2000, contd.**RESOLUTION NO. 2000-1352APPROVED

Cheryl Lanoue, City Clerk, advised that the property owners, Terrance P. & Linda Eaton, were notified May 24, 2000 of a weed problem at 323 E. 12th. The nuisance was not abated and the Concordia Public Grounds Department abated the nuisance. The property owner has been billed in the amount of \$287.50 and the bill remains unpaid. Staff is recommending the City Commission consider passing a resolution to assess the amount of \$287.50 to the property taxes of the property owner. Commissioner Bombardier moved to pass Resolution No. 2000-1352 assessing the amount of \$287.50 to the property owner. Commissioner Strecker seconded. Motion carried.

RESOLUTION NO. 2000-1353APPROVED

Cheryl Lanoue, City Clerk, advised that the property owners, Terrance P. & Linda Eaton, were notified May 24, 2000 of a weed problem at 323 E. 12th. As stated in the May 24, 2000 letter, "the property owner will not be renotified in this calendar year and if the weeds again reach 12" in height the city will abate the nuisance". The nuisance was not abated and the Concordia Public Grounds Department abated the nuisance. The property owner has been billed in the amount of \$60.00 and the bill remains unpaid. Staff is recommending the City Commission consider passing a resolution to assess the amount of \$60.00 to the property taxes of the property owner. Commissioner Strecker moved to pass Resolution No. 2000-1353 assessing the amount of \$60.00 to the property owner. Commissioner Bombardier seconded. Motion carried.

RESOLUTION NO. 2000-1354APPROVED

Cheryl Lanoue, City Clerk, advised that the property owners, Justin T. & Traci L. Snyder were notified May 24, 2000 of a weed problem at 1116 Cedar. The nuisance was not abated and the Concordia Public Grounds Department abated the nuisance. The property owner has been billed in the amount of \$130.00 and the bill remains unpaid. Staff is recommending the City Commission consider passing a resolution to assess the amount of \$130.00 to the property taxes of the property owner. Commissioner Bombardier moved to pass Resolution No. 2000-1354 assessing the amount of \$130.00 to the property owner. Commissioner Strecker seconded. Motion carried.

RESOLUTION NO. 2000-1355APPROVED

Cheryl Lanoue, City Clerk, advised that the property owners, Justin T. & Traci L. Snyder were notified May 24, 2000 of a weed problem at 1116 Cedar. As stated in the May 24, 2000 letter, "the property owner will not be renotified in this calendar year and if the weeds again reach 12" in height the city will abate the nuisance". The nuisance was not abated and the Concordia Public Grounds Department abated the nuisance. The property owner has been billed in the amount of \$83.10 and the bill remains unpaid. Staff is recommending the City Commission consider passing a resolution to assess the amount of \$83.10 to the property taxes of the property owner. Commissioner Bombardier moved to pass Resolution No. 2000-1355 assessing the amount of \$83.10 to the property owner. Commissioner Strecker seconded. Motion carried.

ORDINANCE NO. 2000-2788 -  
ANNEXATION US HIGHWAY 81APPROVED

Thereupon, there was presented an ordinance entitled:

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

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

Aye: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

Thereupon, the Mayor declared said ordinance duly passed and the ordinance was then duly numbered Ordinance No. 2000-2788 and was signed by the Mayor and the signature attested by the City Clerk.

TIF PROTEST PETITION DISCUSSION

Mayor Ferguson read the following:

"The establishment of the TIF District helps the City to encourage new businesses to locate here or help expansion of existing businesses located in the TIF District with needed infrastructure without increasing the property taxes of the people who live here already."

Larry Uri advised the commission that there are two (2) options as follows:



MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 4, 2000, contd.

1. TIF Good Faith and Full Credit Bond (TIF GO), which is the least expensive way to go. The City would back this Bond. This is what the protest is on and currently would have to go to an election. If the election was in favor of the bonds, then the city could issue TIF GO Bonds. If election results were not in favor of TIF GO, then the city would have to use other means to finance the infrastructure in the south development.
2. TIF Special Obligation (TIF Revenue), are approximately \$300,000 more then the TIF GO. The City does not back the TIF Revenue Bonds and there would be no protest or election.

RESOLUTION NO. 2000-1356(TIF BOND ELECTION)

PASSED

Thereupon, and among other business, a Resolution was presented entitled:

**A RESOLUTION AUTHORIZING AND PROVIDING FOR THE CALLING OF A BOND ELECTION IN THE CITY OF CONCORDIA, KANSAS FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY THE QUESTION OF ISSUING TAX INCREMENT GENERAL OBLIGATION BONDS OF THE CITY; AND PROVIDING FOR THE GIVING OF NOTICE OF SAID BOND ELECTION.**

Thereupon, on motion of Commissioner Bombardier, seconded by Commissioner Strecker, the Resolution was adopted by the following roll call vote:

Aye: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

Thereupon, a majority of the Commissioners of the Governing Body having voted in favor of the Resolution, it was declared duly adopted and the Resolution was then duly numbered Resolution No. 2000-1356; and was directed to be signed by the Mayor and attested by the Clerk. The Clerk was further directed to take all action necessary to proceed with calling said bond election in the manner prescribed by law.

MAYOR'S COMMENTS

Mayor Ferguson advised that the City Commission and staff met with the school board to discuss the land that the school district is interested in for the new Middle School. The commission directed staff to have the land appraised and to have a letter drafted to the School District that the city is committed to go forward on this project.

PUBLIC COMMENTS

Armand Balthazor asked why the commission does not have study session any more. Mayor Ferguson advised that the commission does have study sessions on an as needed basis.

Kirk Lowell, Cloudcorp, stated that the vote on the TIF would be a good Economic Development tool to see if the people want growth. Mr. Lowell also asked the commission if they would consider an explanation on the TIF issue that could be drafted by Bond Counsel. All commissioners were in favor of this.

Mr. Balthazor was not in favor of this.

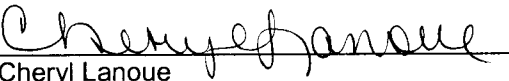
EXECUTIVE SESSION – NON-ELECTED PERSONNEL

At this time Commissioner Ferguson moved that the commission recess into executive session for thirty (30) minutes to discuss non-elected personnel. Commissioner Bombardier seconded. Motion carried. Inviting in City Manager Smith, Wynndee Lee and Larry Vernon. Time: 4:31 p.m.

The commission reconvened at 4:55 p.m.

Mayor Ferguson 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.

  
Cheryl Lanoue  
City Clerk

(Seal)

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 18, 2000

The governing body met in regular session on October 18, 2000, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Ferguson, Strecker and Bombardier.

Absent: None

Other Officers: Assistant City Attorney Vernon and City Clerk Lanoue.

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

Visitors: Wynnndee Lee, Eric Johnson, David Lee, Tom Fisher, Larry Remmenga, Burl Maley, Kirk Lowell, Tom Simoneau, Mike Swaim, Kenneth Holechek, Chuck Bouilly, Sondra Fisher, Ima Jean Chavey, Bud Kennedy, Stacy Deneault, Phil Deneault and Dale Ferguson.

Minutes of the October 4, 2000 regular meeting were approved as written.

### APPROPRIATION ORDINANCE NO. 19

APPROVED

Appropriation Ordinance No. 19 was approved according to law.

### THIRD QUARTER INVESTMENT REPORT

PLACED ON FILE

Total interest for the third quarter in 2000 was \$32,264.56 compared to \$14,828.85 for 1999. Commissioner Ferguson moved to place on file the third quarter investment report. Commissioner Bombardier seconded. Motion carried.

### PUBLIC HEARING 417 E 9<sup>TH</sup>

TABLED

Mayor Ferguson opened the public hearing.

Mayor Ferguson stated the purpose of the public hearing is to provide an opportunity for the property owner and citizens of the community to express any comment or concerns on the property at 417 E 9<sup>th</sup>.

Wynnndee Lee, Director of Community Development read the following letter from the property:

"In reference to the house at 417 E 9<sup>th</sup>. I have had a recent conversation with Mr. Vernon, your city attorney, concerning disposal of the property and the mechanism for the return of my funds, which the city now holds. Mr. Vernon will be getting back with me with some answers soon.

I have tried to market the house to some interested Concordia residents who would like to fix it up. However, the rumor that the house is going to be condemned, makes these prospective buyers reluctant to make an offer. I need more time to market the property. Perhaps somehow you can reassure the public that the City of Concordia is not in the business of taking property from people. As it stands now your residents are in fear of and lack understanding of your process.

At this time I would like to request an extension of 180 days in order to make a reasonable effort to sell the property.

Would you please read this letter into record at the hearing this afternoon.

Thank you very much for your help.

Sincerely,

Ron McMillan"

Ms. Lee advised that staff would like to table this until November 15, 2000 and then the commission could consider Mr. McMillan's extension of 180 days or pass a resolution.

Commissioner Bombardier moved to table the public hearing until November 15, 2000 at 4:00 p.m. in the City Commission room. Commissioner Strecker seconded. Motion carried.

Mayor Ferguson closed the public hearing.

### BID AWARD - GO BOND SERIES 2000

COMMERCE BANK

The Clerk reported that pursuant to the Notice of Bond Sale heretofore duly given, sealed bids for the purchase of \$1,170,000 principal amount of General Obligation Bonds, Series 2000, dated November 1, 2000, of the City had been received. A tabulation of said bids is set forth as **EXHIBIT A** hereto.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 18, 2000, contd.**

Thereupon, the governing body reviewed and considered the bids and it was found and determined that the bid of Commerce Bank, was the best bid for the Bonds, a copy of which is attached hereto as **EXHIBIT B**.

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

Yea: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

ORDINANCE NO. 2000-2789(GO BOND SERIES 2000)

APPROVED

Thereupon, there was presented an Ordinance entitled:

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$1,170,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2000, OF THE CITY OF CONCORDIA, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.**

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

Yea: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2000-2789, was signed and approved by the Mayor and attested by the Clerk and was directed to be published one time in the official newspaper of the City.

RESOLUTION NO. 2000-1357(GO BOND SERIES 2000)

APPROVED

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF \$1,170,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2000, OF THE CITY OF CONCORDIA, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 2000-2789 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.**

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

Yea: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 18, 2000, contd.**

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2000-1357 and was signed by the Mayor and attested by the Clerk.

## **ACCEPTANCE OF PERMANENT EASEMENT - SOUTH DEVELOPMENT**

**BELDON & MARILYN BLOSSER**

Commissioner Strecker moved to accept the permanent easement from Beldon and Marilyn Blosser. Commissioner Bombardier seconded. Motion carried.

## **ORDINANCE NO. 2000-2790(VACATING WASHINGTON ST. BET. 20<sup>TH</sup> & 21<sup>ST</sup>)**

**APPROVED**

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE VACATING A PORTION OF WASHINGTON STREET, BETWEEN TWENTIETH (20<sup>TH</sup>) STREET and TWENTY-FIRST (21<sup>ST</sup>) STREET, RIGHT-OF-WAY IN THE CITY OF CONCORDIA, KANSAS:

Thereupon, Commissioner Ferguson 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:

Yea: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2000-2790, was signed and approved by the Mayor and attested by the Clerk and was directed to be published one time in the official newspaper of the City.

## **SPORTS COMPLEX SIGN REPORT**

Wynndee Lee, Community Development Director, advised the commission that Cloud Ceramics had donated some brick for a sign for the Sports Complex. Ms. Lee presented some designs to the commission.

## **809 1<sup>ST</sup> AVE. CLAIM – JERRY AND BECKY JONES**

Jerry and Becky Jones were present to present their claim to the City Commission. Mr. Jones asked the commission if they had received the information that he had given to the city manager on Monday. They had received it. Mr. Jones advised that there was \$41,000 in property damages (ServiceMaster cleaning bill, heating and soft water units, clothing and personal items that were several years old) and \$15,000 for the trauma they endured and for personal anguish and suffering. Mr. Jones proceeded to say they were contacted by the insurance company, then by an insurance adjuster and then the claim was denied. Mr. Jones stated that he felt that this was a City of Concordia problem and it needed to be taken care of.

Mayor Ferguson suggested that the insurance company go to Jerry's home to look at the situation.

Larry Vernon, Acting City Attorney, advised that cities are generally immune from liability. Individuals have to file under the Tort Claims Act and provide information that the city was negligent. Mr. Vernon advised that the commission had three options, 1). Approve the claim and pay from public funds and assume a liability, 2). Deny the claim and 3). Wait 120 days and at the end of 120 days the claim would be deemed denied at which time the Joneses could sue the city.

Mr. Vernon stated at this point if you approve the claim you are opening the city up for liability.

Mr. Jones stated that Mr. Remmenga informed him that the sewer lines had not been cleaned and the Utility Department has started a sewer line cleaning program and felt that the city was responsible for not maintaining a program in the past to clean the sewer lines in the city. Mr. Jones also stated that there was another claim twelve to fifteen years ago and the individual received compensation. Mr. Jones stated that the city should do the right thing and take care of the situation.

The commission advised Larry Vernon to call the insurance adjuster and talk to him about the claim and to contact the Joneses before Monday.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 18, 2000, contd.**

Mr. Vernon advised that there was an issue of when the claim was filed. Mr. Jones stated that he filed it with the city's insurance carrier like his was advised to do. Mr. Vernon asked that if it was filed on September 18, 2000, when Mr. Jones had signed the claim form. Mr. Jones stated yes.

Mr. Jones stated that Al Hernandez stated in a conversation that the office of the Utilities recommended denying the claim.

RESOLUTION NO. 2000-1358(ENTERPRISE ZONE) APPROVED

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION RECONFIRMING SUPPORT FOR THE QUALIFYING REGIONAL STRATEGIC PLAN AND REQUESTING THE SECRETARY OF COMMERCE AND HOUSING RE-APPROVE THE COUNTY OF CLOUD AS A KANSAS ENTERPRISE ZONE DESIGNATED NON-METROPOLITAN BUSINESS REGION.**

Thereupon, Commissioner Bombardier 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:

Yea: Commissioners Ferguson, Strecker and Bombardier.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2000-1358 and was signed by the Mayor and attested by the Clerk.

EXECUTIVE SESSION – NON-ELECTED PERSONNEL

At this time Commissioner Ferguson moved that the commission recess into executive session for fifteen (15) minutes to discuss non-elected personnel. Commissioner Strecker seconded. Motion carried. Inviting in Wynndee Lee. Time: 4:40 p.m.

The commission reconvened at 4:48 p.m.

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

INTERIM CITY MANAGER APPOINTMENT WYNNDEE LEE

Commissioner Bombardier moved to approve the agreement with Wynndee Lee, as interim city manager. Commissioner Strecker seconded. Motion carried.

EMPLOYEE SERVICE AWARDS TOM FISHER AND PHIL DENEUALT

Mayor Ferguson presented Tom Fisher and Phil Deneault with an award for twenty-five (25) years of service with the City of Concordia.

PUBLIC COMMENTS

Ima Jean Chavey went through the \$2,555,000 break down on the Exhibit A of the Notice of Bond Election as follows:

Construction Cost	\$1,900,000
Engineering/Design	350,000
Interest During Construction	240,200
Issuance Expenses	64,800
Total	\$2,555,000

Ms. Chavey went on to advise that contracts had been signed with several companies for services as follows:

Smokey Hill	\$1,016,175(with bonds)
Campbell & Johnson	60,000
HWS	158,477

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 18, 2000, contd.**

Ms. Chavey stated that these numbers do not equal the break down that was advertised and wanted to know why?

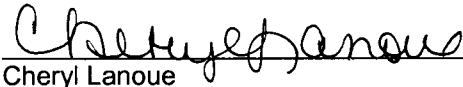
Wynndee Lee advised that through the process the city had negotiated a better price for the infrastructure and that the \$2,555,000 was an estimated amount for the infrastructure that was put in the resolution for the TIF GO Bonds.

Ms. Chavey then stated that the interest was more than she had calculated for the seven months of the construction contract and wanted to know why?

Mayor Ferguson explained that the city has financial advisors that prepare this information, with regard to the interest on the notes.

Wynndee Lee advised the commission that on October 27th at 9:30, the city would be having coffee for Bob Burns, who is retiring from the Fire Department.

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

  
Cheryl Lanoue  
City Clerk

(Seal)

SUMMARY OF BIDS RECEIVED		SALE DATE: <u>Wednesday, October 18, 2000 - 3:30 p.m. CSDT</u>
ISSUER:	CITY OF CONCORDIA, KANSAS	
ISSUE:	\$1,170,000 GENERAL OBLIGATION BONDS SERIES 2000, DATED NOVEMBER 1, 2000	

BIDDERS:		Commerce Bank, N.A. Kansas City, MO	UMB Bank, N.A. Kansas City, MO	Country Club Bank, N.A. Kansas City, MO	Midwest Capital Management, Inc. Overland Park, KS				
Maturity Date	Principal Amount	Interest Rate	Interest Rate	Interest Rate	Interest Rate	Interest Rate	Interest Rate	Interest Rate	Interest Rate
11/1/2001	\$50,000	6.50%	5.75%	7.00%	6.50%				
11/1/2002	55,000	6.50%	5.75%	6.875%	6.40%				
11/1/2003	60,000	6.25%	5.75%	6.70%	6.00%				
11/1/2004	60,000	6.25%	5.75%	6.625%	5.75%				
11/1/2005	65,000	5.75%	5.75%	4.70%	5.75%				
11/1/2006	70,000	4.70%	5.75%	4.75%	5.40%				
11/1/2007	70,000	4.80%	5.45%	4.85%	4.90%				
11/1/2008	75,000	4.90%	4.90%	4.95%	4.90%				
11/1/2009	80,000	4.95%	4.95%	5.00%	5.00%				
11/1/2010	85,000	5.00%	5.00%	5.05%	5.00%				
11/1/2011	90,000	5.10%	5.10%	5.15%	5.20%				
11/1/2012	95,000	5.15%	5.20%	5.25%	5.20%				
11/1/2013	100,000	5.20%	5.20%	5.35%	5.30%				
11/1/2014	105,000	5.30%	5.25%	5.40%	5.40%				
11/1/2015	110,000	5.40%	5.30%	5.45%	5.50%				
Total Interest Cost		\$549,947.50	\$552,427.50	\$556,327.50	\$557,957.50				
Premium		-0-	-0-	-0-	-0-				
Net Interest Cost		\$549,947.50	\$552,427.50	\$556,327.50	\$557,957.50				
Average Net Interest Rate									

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

TO: Cheryl Lanoue, Clerk  
City of Concordia, Kansas

October 18, 2000

For \$1,170,000 principal amount of General Obligation Bonds, Series 2000, of the City of Concordia, Kansas, to be dated November 1, 2000, as described in your Notice of Bond Sale dated September 20, 2000, said Bonds to bear interest as follows:

<u>Maturity</u> <u>November 1</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>	<u>Maturity</u> <u>November 1</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>
2001	\$50,000	<u>6.50</u> %	2009	\$80,000	<u>4.95</u> %
2002	55,000	<u>6.50</u> %	2010	85,000	<u>5.00</u> %
2003	60,000	<u>6.25</u> %	2011	90,000	<u>5.10</u> %
2004	60,000	<u>6.25</u> %	2012	95,000	<u>5.15</u> %
2005	65,000	<u>5.75</u> %	2013	100,000	<u>5.20</u> %
2006	70,000	<u>4.70</u> %	2014	105,000	<u>5.30</u> %
2007	70,000	<u>4.80</u> %	2015	110,000	<u>5.40</u> %
2008	75,000	<u>4.90</u> %			

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

Total interest cost to maturity at the rates specified ..... \$ 549,947.50  
Premium (if any) ..... (\$ — 0 —)  
Net interest cost ..... \$ 549,947.50  
Average annual net interest rate ..... 5.220195 %

- ☐ The Bidder elects to have the Bonds issued in "book-entry-only" form.  
☐ The Bidder elects to have the following Term Bonds:

<u>Maturity Date</u>	<u>Years</u>	<u>Amount</u>
November 1, _____	_____ to _____	\$ _____
November 1, _____	_____ to _____	\$ _____

subject to mandatory redemption requirements in the amounts and at the times shown above.

This proposal is subject to all terms and conditions contained in said Notice of Bond Sale, and if the undersigned is the successful bidder, the undersigned will comply with all of the provisions contained in said Notice. A cashier's or certified check or a qualified financial surety bond in the amount of \$23,400 payable to the order of the Issuer, accompanies this proposal as an evidence of good faith. The acceptance of this proposal by the Issuer shall constitute a contract between the Issuer and the successful bidder for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission.

Submitted by: Commerce Bank, N.A.

By: Carol Clifton

Telephone No. (816) 234-1837

Carol Clifton, ANP

[LIST ACCOUNT MEMBERS ON REVERSE]

ACCEPTANCE

Pursuant to action duly taken by the Governing Body of the City of Concordia, Kansas, the above proposal is hereby accepted on October 18, 2000.

Attest:

Cheryl Lanoue  
Clerk

Deanna Ferguson  
Mayor

completion if this bid is unsuccessful

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

Return of good faith deposit is hereby acknowledged:

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

NOTE: No additions or alterations in the above proposal form shall be made, and any erasures may cause rejection of any bid. Written bids may be filed with the Clerk, Cheryl Lanoue, City Hall, 701 Washington, P.O. Box 603, Concordia, Kansas 66901, by mail, in person or via telefax, at or prior to 3:30 P.M., Central Daylight Time, on October 18, 2000. Any bid received after such time will be returned to the Bidder.



## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 1, 2000

The governing body met in regular session on November 1, 2000, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Ferguson and Bombardier.

Absent: Commissioner Strecker.

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

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

Visitors: Wynndee Lee, Tom Fisher, Mickey Powell, Larry Remmenga, Mary Meyer, Teri Coash, Harold Johnston, Barbara Johnston, Toni Johnston, Kurt Johnston, James Loop, Jan Jay, Daniel Golbek, Rex Swihart, Jr., Jerry Liby, Dale Swenson, Dane Barclay, David Brewer, Jerry Jones, Lowell Thoman, Mike Swaim, Armand Naillieux, Leland Snavey, Robert C. Champlin, Roberta J. Champlin, Loren Swenson, Paul Walker, David \_\_\_\_\_, Armand Balthazor, Robert E. LaBarge, Larry Starr, Dale Ferguson, Ivan H. Owen, Irvin Charbonneau, Keith Waters, Richard Ramsey, Jacqueline Ramsey, Bill Fellows, \_\_\_\_\_, David E. Carlgren, Merl Ramsey, Jim Coppoc, Jarry Anderson, Palma Anderson, Larry Anderson, Max W. Widen, Mary Ann Widen, Evelyn Tholstrup, Leroy Tholstrup, Dave Chestnut, John Cory, Debra Beems, Chuck Zimmerman, Nancy Reynolds, Joe Gerard, Dennis Bergmann, Kent Applebee, Larry Lagasse, Bill Mason, Dan Koch, Dennis Krier, Bryant Thurston, Bill Ramsey, Josephine Wiesner, Jeff Fakler Bob Johnson, John O. Jackson, David Fakler, Gary J. Reynolds, Ray A. Doyen, Don Deneault, Irene Brown, Fran Trost, Charles Hittle, Dixie Winter, Marge Widen, J.C. Cory, James Franey, Ella Thurston, Lana Lagasse, George Schoenbrunn, Tony Blochlinger, Robert Thomas, Bill Jackson, Linda Hayden, Jim Sjogren, Bernie Deckard, Jerad Monzon, Ron Hubert, Sandy Cote, Mark Cote Jerome Letourneau, Leland Bray, Dale Sterrett, Jayme Peterson, Noel Hanson, Clayton Peterson and Gale Longenecker.

Minutes of the October 18, 2000 regular meeting were approved as written.

### APPROPRIATION ORDINANCE NO. 20

### APPROVED

Appropriation Ordinance No. 20 was approved according to law.

### UPDATE ON JONES CLAIM

Larry Vernon, Acting City Attorney, advised the commission that he had contacted the insurance company to reconsider the Jones claim. Mr. Vernon asked that the claim be referred to their legal department, which it had and advised that he should hear from them next week.

Mr. Jerry Jones advised that he felt this was not moving very fast and that he was advised not to make any statements.

### REPORT ON COMPLEX IMPROVEMENTS

Wynndee Lee, Director of Community Development, advised the commission that the College, School District and the city are working together on improvements to the complex and at some point they would be discussing an interlocal agreement.

### PUBLIC COMMENTS

### EXTRA TERRITORIAL ZONING

Bill Fellows addressed the commission that he was upset with the city administrators. He advised that the people outside the city have rights to have property without regulations. He advised that if they wanted the rules and regulations they would live in the city. No one was in support of extra territorial zoning. Mr. Fellows stated that the city has approximately 9 square miles and can't handle the zoning why would you want to include an additional 81 square miles. Mr. Fellows stated that no one in the crowd wanted zoning in the county.

Stan Smith, City Manager, stated that a number of people that attended the comprehensive plan review wanted to explore the possibilities of updating the zoning codes and ordinances along with extra territorial zoning.

Commissioner Ferguson advised that the meeting with the County Commissioners was an informational meeting. Commissioner Ferguson moved to have a public meeting on the extra territorial zoning at a later date. Commissioner Bombardier seconded. Motion carried.

Joe Gerard stated that they don't want zoned and we don't want in the city of Concordia.

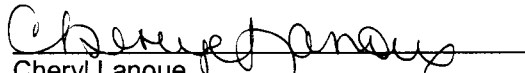
Commissioner Ferguson moved to rescind the motion and moved that the extra territorial zoning be removed from the zoning ordinance, period. Commissioner Bombardier seconded. Motion carried.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 1, 2000, contd.**

**PUBLIC COMMENTS**

Armand Balthazor asked about the Kloster claim. City Manager Smith advised that there would be a hearing later this month.

There being no further business, Commissioner Ferguson moved to adjourn the meeting, until November 15, 2000 at 4:00 p.m. Commissioner Bombardier seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 15, 2000**

The governing body met in regular session on November 15, 2000, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Ferguson, Strecker and Bombardier.

Absent: None

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

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

Visitors: Jerry and Becky Jones, Dan Bartz, Kirk Lowell, Tom Fisher, Larry Remmenga, Dale Ferguson, Burl Maley, Dan and Shelly Farha, Darrel Hosie, Sharon Coy and Lee Doyen.

Minutes of the November 1, 2000 regular meeting were approved as written.

### APPROPRIATION ORDINANCE NO. 21

APPROVED

Appropriation Ordinance No. 21 was approved according to law.

### APPOINTMENT - HOUSING AUTHORITY

JOHN DAVIS

Wynndee Lee, Acting City Manager, stated John Davis has been contacted and indicated an interest in serving on the Housing Authority. Commissioner Bombardier moved to appoint John Davis to the Housing Authority for a four-year term beginning 12-31-00 to 12-31-04. Commissioner Strecker seconded. Motion carried.

### PUBLIC HEARING - 417 E. 9TH(MCMILLAN)

TABLED

Mayor Ferguson reopened the public hearing.

Wynndee Lee advised the commission that the property owner had requested a hundred and eighty-day extension.

Mayor Ferguson closed the public hearing.

Commissioner Strecker moved to grant the hundred eighty-day extension with an update in three months. Commissioner Bombardier seconded. Motion carried.

### UPDATE ON JERRY JONES CLAIM

Larry Vernon, Assistant City Attorney, advised the commission that on 10-18-00 he contacted the insurance company for the first time and on 10-23-00 he talked to their legal counsel. On 11-10-00 he received a fax that the insurance company had reconsidered and reevaluated the claim and felt that the city did not have any liability and would not pay the claim.

Jerry Jones stated that the city commission needed to make a decision that is right, ethical and christian. Jerry asked, "What do we do from here?"

Commissioner Strecker said, "This is a very emotional issue. I can't imagine how I would feel if I would experience a sewer back up. At first I thought maybe the city should be responsible for some of the damages, but that raises a question of how much? My first reaction was 80/20 of actual damages, or pay approximately \$37,000. After the city insurance denied your claim twice I asked why did they deny your claim? Is the city really responsible? You told me last night if you were a city commissioner and one of us had experienced the same problem you would vote to pay the claim with city funds. I hope you would ask the same questions. I stated earlier this is an emotional issue. We need to take emotions out of the picture and look at the facts. You also told me last night that you have a check valve or back-flow prevention device on your sewer line between your home and the city sewer main. Also, you did not know you would have to or could get extra insurance on your homeowner policy to cover sewer backups. The fact that you have a back-flow prevention device in your sewer line indicates the contractor that built the home or a previous owner had experienced or anticipated a sewer back up problem. This raised more questions. Is the city responsible for the failure of your back flow device? Is the city responsible for lack of sewer back up insurance on your homeowner policy? I called Boettcher Supply (a plumbing wholesale business in Beloit) about a back flow or check valve on a sewer line. I inquired about required maintenance, recommended life of such a device and how much backpressure they would stand. You are asking the city of Concordia to be your insurance company and the three of us to be insurance adjusters. I don't think any of us qualify as adjusters or experts on a case like this. Again, if you were a city commissioner I would hope you would ask some of the same questions and come to the same conclusions. Therefore I make a motion that the city deny your claim."

# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 15, 2000, cont.**

Commissioner Ferguson stated that she would suggest paying \$20,000 on the claim with a letter of release not to sue.

Mr. Jones asked Commissioner Bombardier how he felt.

Commissioner Bombardier stated that we pay our insurance company and if the insurance company denies the claim, the city should stand by that.

Mr. Jones stated that he holds the liability with the three city commissioners and the city. Mr. Jones then asked Mr. Remmenga, Director of Utilities, what he said in the report.

Mr. Remmenga stated that he did not make a recommendation.

Mr. Jones asked the commission about negotiation on the cost.

Following discussion on the back flow device and psi Commissioner Strecker moved to deny the claim. Commissioner Bombardier seconded. The vote being as follows:

Yes: Commissioner Strecker and Bombardier.

No: Commissioner Ferguson.

The motion passes with two-thirds vote.

## RESOLUTION NO. 2000-1359

APPROVED

Cheryl Lanoue, City Clerk advised that the property owner, Barbara Ryals was notified August 23, 2000 that a refrigeration appliance at 431 E. 1st needed to be removed. The nuisance was not abated and the Concordia Public Grounds Department abated the nuisance. The property owner has been billed in the amount of \$71.67 and the bill remains unpaid. Staff is recommending the City Commission consider passing a resolution to assess the amount of \$71.67 to the property taxes of the property owner. Commissioner Bombardier moved to pass Resolution No. 2000-1359 assessing the amount of \$71.67 to the property owner. Commissioner Strecker seconded. Motion carried.

## RESOLUTION NO. 2000-1360

APPROVED

Cheryl Lanoue, City Clerk advised that the property owner, C-XIIV Properties was notified August 23, 2000 the property at 801 Lincoln needed to be mowed. The nuisance was not abated and the Concordia Public Grounds Department abated the nuisance. The property owner has been billed in the amount of \$118.34 and the bill remains unpaid. Staff is recommending the City Commission consider passing a resolution to assess the amount of \$118.34 to the property taxes of the property owner. Commissioner Bombardier moved to pass Resolution No. 2000-1360 assessing the amount of \$118.34 to the property owner. Commissioner Strecker seconded. Motion carried.

## GRANTED PERMANENT EASEMENT

GOLD BANK

Wynndee Lee advised the commission that there would be a condition on the easement that if 20<sup>th</sup> street developed they would have to move the line.

Commissioner Bombardier moved to grant permanent easement to Gold Bank. Commissioner Strecker seconded. Motion carried.

## HOUSTON PLAT

TABLED

Wynndee Lee, Community Development Director, advised the commission that the city received the final plat for the Houston's Addition. The Planning Commission has approved the final plat and normally staff would ask that the city commission accept any easements or rights-of-way at this time. Staff would like you to table this idea until December 6 meeting for action.

Following discussion, Commissioner Ferguson moved to table the acceptance of the Houston Plat easements and rights-of-way until the December 6, 2000 meeting. Commissioner Bombardier seconded. Motion carried.

## RESOLUTION NO. 2000-1361 - AUTHORIZATION OF THE SALE OF NOTES

APPROVED

The matter of providing for the offering for sale of approximately \$1,850,000 principal amount of Temporary Notes, Series 2000-2, came on for consideration and was discussed.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 15, 2000, cont.**

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

**RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF TEMPORARY NOTES, SERIES 2000-2, OF THE CITY OF CONCORDIA, KANSAS.**

Commissioner Strecker 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 Ferguson, Strecker and Bombardier.

Nay: Nay.

The Mayor declared the Resolution duly adopted; the Clerk designating the same Resolution No. 2000-1361.

**PUBLIC COMMENTS**

Lee Doyen advised the city commission that the city could not levy a bed tax per K.S.A. 12-1669.

Acting City Manager Comments:

Wynndee Lee advised the commission of the following:

The sports complex concession stand workday for Saturday has been postponed until spring.

The city had an ADA survey of all facilities.

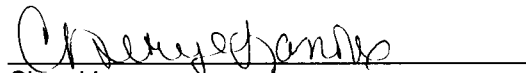
Tomorrow the city and county staff would be having a meeting on TIF.

The Public Works and Public Grounds Departments have been hanging Christmas decoration along the 81 corridor.

Mayor Ferguson announced that the city commission would be going to 17<sup>th</sup> & Olive with staff and Darrel Hosie

Mayor Ferguson announced that the Commission would be having a study session on November 30, 2000 at noon, in the commission room.

There being no further business, Commissioner Bombardier moved to adjourn the meeting to December 6, 2000. Commissioner Strecker seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 6, 2000**

The governing body met in regular session on December 6, 2000, 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 Ferguson.

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

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

Visitors: Kirk Lowell, Tom Fisher, Larry Remmenga, Burl Maley, Armand Balthazor, Walt Huber, Rick Sabath, Bruce Peterson, Dan Koch and Matt Bechard.

Minutes of the November 15, 2000 regular meeting were approved as written.

## APPROPRIATION ORDINANCE NO. 22

APPROVED

Appropriation Ordinance No. 22 was approved according to law.

## RESOLUTION NO. 2000-1362(221 W 3<sup>RD</sup> – FRED HALE)

APPROVED

Acting 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. Fred Hale – 221 W 3rd

Wynndee Lee advised the commission of the property.

No one was present to represent the property owner.

Commissioner Strecker moved and seconded by Commissioner Bombardier to approve Resolution No. 2000-1362 with five (5) days. Motion carried.

## BID AWARD - TIF TEMPORARY NOTES

COUNTRY CLUB BANK

The Clerk reported that pursuant to the Notice of Note Sale heretofore duly given, sealed bids for the purchase of \$1,850,000 principal amount of Temporary Notes, Series 2000-2, dated December 15, 2000, of the City had been received by Springsted Incorporated at 11:30 a.m. on this date. A tabulation of said bids is set forth as **Exhibit A** hereto.

Thereupon, the governing body reviewed and considered the bids and it was found and determined that the bid of Country Club Bank, was the best bid for the Notes, a copy of which is attached hereto as **Exhibit B**.

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

Aye: Commissioners Strecker and Bombardier.

Nay: None.

## RESOLUTION NO. 2000 - 1363 TIF TEMPORARY NOTES

PASSED

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF \$1,850,000 PRINCIPAL AMOUNT OF TEMPORARY NOTES, SERIES 2000-2, 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 COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.**

# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 6, 2000, contd.**

Thereupon, Commissioner Bombardier 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 and Strecker.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2000-1363 and was signed by the Mayor and attested by the Clerk.

## **RESOLUTION NO. 2000- 1364 - AUTHORIZING REIMPROVEMENT ON 6TH STREET**

**APPROVED**

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION AUTHORIZING THE IMPROVEMENT OR REIMPROVEMENT OF  
6TH STREET, A MAIN TRAFFICWAY WITHIN THE CITY OF CONCORDIA,  
KANSAS; AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF.**

Thereupon, Commissioner Strecker 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 Strecker.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2000-1364 and was signed by the Mayor and attested by the Clerk.

## **HOUSTON PLAT**

**TABLED**

Wynndee Lee, Community Development Director, advised the commission that the city received the final plat for the Houston's Addition.

Following discussion, Commissioner Bombardier moved to table the acceptance of the Houston Plat easements and rights-of-way until December 14, 2000 meeting. Commissioner Strecker seconded. Motion carried.

## **REPLAT A & C OF BLOSSER 2ND ADDITION**

**APPROVED**

Wynndee Lee, Director of Community Development, advised the commission that this is the replat of the A & C of Blosser 2<sup>nd</sup> Addition – Marquis Place. Commissioner Bombardier moved to accept the easements and vacation of right-of-way and authorize the Mayor to sign the A & C Blosser 2<sup>nd</sup> Addition Replat. Commissioner Strecker seconded. Motion carried.

## **17TH & OLIVE - DARREL HOSIE REQUEST**

**DENIED**

Wynndee Lee, Community Development Director, advised the commission that Mr. Hosie was asking for the commission to open an unopened but dedicated street right-of-way. Ms. Lee stated that staff concerns were safety, visibility and maintenance.

Commissioner Bombardier stated that he felt that the curb cut was the best way to go for the city.

Following a brief discussion Commissioner Bombardier moved to deny Mr. Hosie's request. Commissioner Strecker seconded. Motion carried.

## **CCCC -SPORTS COMPLEX**

Rick Sabath, Baseball Coach at the Community College, advised the commission that they would like to relocate the lights on the Legion Field. Mr. Sabath stated that his goal was to make that field the best in the state and currently the outfield is short approximately 30 to 40 feet. He stated that they would like to move the fencing and lights out and have the cost split between the College, School District and City of approximately \$775 per entity. The City would have to move the fence and dirt.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 6, 2000, contd.**

Commissioner Bombardier asked Ms. Lee if she would discuss this with staff and bring it back to the city commission on December 20.

**ORDINANCE NO. 2000-2791**  
**ANNEXATION OF TREATMENT PLANT**

**APPROVED**

Thereupon there was presented an Ordinance entitled:

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

Thereupon, Commissioner Strecker moved that said Ordinance be adopted. Commissioner Bombardier seconded the motion. 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:

Yes: Commissioners Bombardier and Strecker.

No: None

Thereupon, the Ordinance having received a unanimous vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2000-2791 and was signed and approved by the Mayor and attested by the Clerk.

**CLOUDCORP FUNDING AGREEMENT**

Kirk Lowell, CloudCorp, advised the commission that he was here to discuss the CloudCorp Funding Agreement for 2001 in the amount of \$25,000, payable in February.

Mr. Lowell stated that CloudCorp and the City would have to work together on the following projects for the 2001 year:

6<sup>th</sup> and Broadway Solution  
 21<sup>st</sup> Street dam and Airport Park dam  
 Update the Tax Exemption Policy  
 TIF District  
 Wal-Mart vacant space  
 Main Street and 81 corridor projects  
 North Development

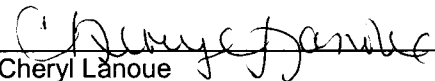
Mr. Lowell stated that CloudCorp would be working to acquire a scanner and network fax machine. Mr. Lowell stated that he would be back in June to discuss the funding for 2002.

**PUBLIC COMMENTS**

Don Koch asked about payment to Smokey Hill for the South Development.

There being no further business, Commissioner Bombardier moved to adjourn the meeting to December 14, 2000 at noon in the City Commission Room. Commissioner Strecker seconded. Motion carried.

(Seal)

  
 Cheryl Lanoue  
 City Clerk



# **MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD DEC. 14, 2000**

The governing body met in adjourned session on December 14, 2000, at 12:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Strecker, Ferguson and Bombardier.

Absent: None.

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

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

Visitors: Tom Fisher, Larry Remmenga, Burl Maley, Armand Balthazor and Jack Widen.

## HOUSTON ADDITION PLAT

ACCEPTED

Wynndee Lee, Director of Community Development, advised the commission that the Houston Addition Plat is ready for the commission to accept the easements and right-of-ways. Following discussion, Commissioner Bombardier moved to accept the easements and right-of-ways. Commissioner Strecker seconded. Motion carried.

The Commission thanked both the Street and Utility Department for their hard work the last few days.

## EXECUTIVE SESSION – NON-ELECTED PERSONNEL

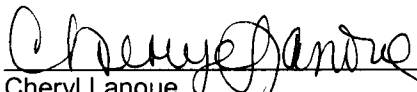
At this time Commissioner Ferguson moved that the commission recess into executive session for sixty (60) minutes to discuss non-elected personnel. Commissioner Strecker seconded. Motion carried. Inviting in Wynndee Lee. Time: 12:06 p.m.

The commission reconvened at 12:47 p.m.

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

Mayor Ferguson announced that there would be a study session following this meeting.

There being no further business Commissioner Ferguson moved to adjourn the meeting to December 18, 2000 at 3:30 p.m. Commissioner Strecker seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)

**MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD DEC. 18, 2000**

The governing body met in adjourned session on December 18, 2000, at 3:30 in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioner Ferguson.

Absent: Commissioners Strecker and Bombardier.

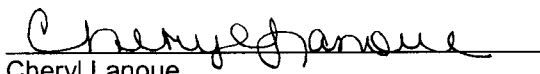
Other Officers: City Clerk Lanoue.

Visitors: None.

Mayor Ferguson announced that there was not a quorum present.

The next regular meeting would be December 20, 2000 at 4:00 p.m., in the City Commission Room.

(Seal)

  
Cheryl Lanoue  
City Clerk

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 20, 2000**

The governing body met in regular session on December 20, 2000, at 4:00 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Ferguson, Strecker and Bombardier.

Absent: None.

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

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

Visitors: Kirk Lowell, Tom Fisher, Larry Remmenga, Burl Maley, Rick Sabath, Eric Johnson, Ken Johnson, Jack Widen, Cork Widen and Dan Farha.

Minutes of the November 15, 2000 regular meeting, November 14th and 18th, 2000 adjourned meetings were approved as written.

APPROPRIATION ORDINANCE NO. 23 APPROVED

Appropriation Ordinance No. 23 was approved according to law.

CCCC – SPORTS COMPLEX REQUEST

Rick Sabath, CCCC, advised the commission that he would like to provide some improvements to the complex, with each entity contributing \$775(USD#333 and Cloud County Community College and the City). They would move the light poles back and put in a wood fence from the selling of signs. Mr. Sabath stated that there would be approximately forty (40) signs at \$175 each for a total of \$5,000. The signs are guaranteed for five (5) years. With the money from the following years to go for the following flag poles, sprinkling system, backstop, new bleachers, along with improvements on the other areas of the complex.

Ms. Lee stated that she had discussed this with staff and there were some concerns; lighting, insurance, maintenance and interlocal agreement.

Following discussion, Commissioner Bombardier moved to approve the project and the \$775 funding request. Commissioner Strecker seconded. Motion carried.

ORDINANCE NO. 2000-2792  
ALSTOM POWER AIR PREHEATER COMPANY TAX ABATEMENT APPROVED

Thereupon there was presented an Ordinance entitled:

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

Thereupon, Commissioner Ferguson moved that said Ordinance be adopted. Commissioner Strecker seconded the motion. 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:

Yes: Commissioners Ferguson, Bombardier and Strecker.

No: None

Thereupon, the Ordinance having received a unanimous vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2000-2792 and was signed and approved by the Mayor and attested by the Clerk

ORDINANCE NO. 2000-2793  
SCOTT SPECIALTIES ABATEMENT APPROVED

Thereupon there was presented an Ordinance entitled:

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

Thereupon, Commissioner Bombardier moved that said Ordinance be adopted. Commissioner Strecker seconded the motion. 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:

Yes: Commissioners Ferguson, Bombardier and Strecker.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 20, 2000, contd.**

No: None

Thereupon, the Ordinance having received a unanimous vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2000-2793 and was signed and approved by the Mayor and attested by the Clerk

**DESIGNATION OF OFFICIAL DEPOSITORIES****APPROVED**

City Clerk Lanoue advised the commission that state law requires that banking institutions holding public funds need to be designated by the elected officials. Commissioner Ferguson moved to authorize The Citizens National Bank, UMB, Gold Bank and Peoples Exchange Bank the official depositories for 2001. Commissioner Strecker seconded. Motion carried.

**RESOLUTION NO. 2000-1365(BOUNDARY)****APPROVED**

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION OF THE CITY OF CONCORDIA, KANSAS, DEFINING THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS.**

Thereupon, Commissioner Bombardier 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:

Yes: Commissioners Bombardier, Strecker and Ferguson.

No: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2000-1365 and was signed by the Mayor and attested by the Clerk.

**PUBLIC HEARING (F & A FOOD SALES, INC.)**

Among other business, in accordance with notice published on December 11, 2000 in the *Concordia Blade-Empire*, a public hearing was held by the governing body relating to the proposed granting of a property tax exemption for F & A Food Sales, Inc. The Development Agreement entered into June 17, 1998, a cost benefit analysis prepared for the governing body by John Cyr, Executive Director of the North Central Regional Planning Commission at the request of CloudCorp and the report and recommendation of the Interim City Manager was reviewed and all interested persons were afforded an opportunity to present their views. Thereupon, the public hearing was closed.

**RESOLUTION NO. 2000-1366(F&A FOODS SALES, INC. TAX ABATEMENT)****APPROVED**

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS MAKING CERTAIN FINDINGS OF FACT AS REQUIRED BY K.S.A. 79-251 WITH RESPECT TO A PROPERTY TAX EXEMPTION TO BE GRANTED TO F & A FOOD SALES, INC.**

Thereupon, Commissioner Bombardier moved that said Resolution be passed. The motion was seconded by Commissioner Strecker. 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: Commissioners Ferguson, Strecker and Bombardier.

Nay: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2000-1366 and was signed by the Mayor and the signature attested by the City Clerk.

**ORDINANCE NO. 2000-2794(F&A FOOD SALES TAX ABATEMENT)****APPROVED**

Thereupon, there was presented an Ordinance entitled:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 20, 2000, contd.

**AN ORDINANCE EXEMPTING CERTAIN PROPERTY IN THE CITY OF CONCORDIA, KANSAS, FROM AD VALOREM TAXATION FOR ECONOMIC DEVELOPMENT PURPOSES.**

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: Commissioners Ferguson, Strecker and Bombardier.

Nay: None

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2000-2794 and was signed by the Mayor and the signature attested by the City Clerk.

AGMARK WATERLINE CONTRACT AWARD

Larry Remmenga, Director of Utilities advised the commission that the City received proposals on an eight- (8) inch water main for AgMark. Mr. Remmenga advised that the water main would run on the south side for further development. The Utility Department has \$60,000 in this year's budget for this project and AgMark is willing to pay \$19,353.04 of the proposed cost from Midland \$84,103.04. Commissioner Bombardier moved to approve the Midland proposal of \$84,103.04. Commissioner Ferguson seconded. Motion carried.

CEMETERY ADDITION BID AWARD  
PURCHASE OF MOWER

REJECTED  
EXCEL SALES APPROVED

Wynndee Lee advised the commission that the city received the following bids:

<u>Contractor</u>	<u>J&amp;N Elloit Constr.</u>	<u>Wise Constr.</u>	<u>Solt Constr.</u>	<u>Estimate</u>
Base Bid	\$85,184.00	\$76,820.00	\$92,872.00	\$50,601.60
Alt. Bid #1	3,600.00	7,268.00	3,700.00	2,470.00
Alt. Bid #2	1,750.00	4,152.00	2,975.00	1,231.75
Alt. Bid #3	18,454.00	18,875.00	27,849.00	16,097.25
Alt. Bid #4	5,400.00	8,697.00	8,942.00	3,247.25
Alt. Bid #5	1,500.00	2,925.00	3,840.00	N/A
Total Bid w/Alt	\$115,888.00	\$118,737.00	\$140,178.00	\$73,641.85
Calendar Days	190	180	200	120

Jack Widen advised the commission of the proposal on the equipment purchase as follows:

Concordia Tractor, Inc. (John Deere)	\$16,000 with trade-in
Krier Mower and Electric (Snapper)	\$15,600 with trade-in
Excel Sales (Hustler)	\$15,980 with trade-in

Mr. Widen recommended that the city commission consider the Excel Sales proposal.

Following discussion, Commissioner Bombardier moved to reject the cemetery building bids. Commissioner Ferguson seconded. Motion carried.

Commissioner Bombardier moved to approve a purchase of an Excel Hustler for \$15,980 with a trade-in. Commissioner Strecker seconded. Motion carried.

Mayor Ferguson thanked all city employees for their donations to the Food Bank of 1400 items and also thanked all the crews that have been working at night.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 20, 2000, contd.**

Mayor Ferguson announced that the city commissioners would be attending an employee appreciation luncheon on December 22, 2000 at noon, at the Concordia Country Club.

Wynndee Lee announced that the City had filled the Director of Park and Recreation position with Ryan Weir from Junction City. Mr. Weir is currently the acting Director of Park and Recreation at Junction City and has an undergraduate degree in Park and Recreation and received a graduate degree in Public Administration in May.

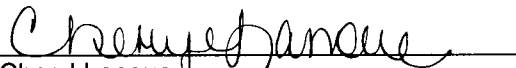
**EXECUTIVE SESSION – NON-ELECTED PERSONNEL**

At this time Commissioner Ferguson moved that the commission recess into executive session for thirty (30) minutes to discuss non-elected personnel. Commissioner Bombardier seconded. Motion carried. Inviting in Wynndee Lee. Time: 4:55 p.m.

The commission reconvened at 5:25 p.m.

Mayor Ferguson 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 January 3 at 3:00 p.m. Commissioner Ferguson seconded. Motion carried.

  
Cheryl Lanoue  
City Clerk

(Seal)