

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 7, 2004

The governing body met in regular session on January 7, 2004, at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hosie, Jindra, Baumann, Slaughter, and Strecker.

Absent: None.

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

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

Visitors: Burl Maley, Jessica LeDuc, Jeff Stricklin, Ron Copple, Brian Strait, Armand Balthazor, Larry Remmenga, Mark Paul, Jeremy Urban, Isadore Bombardier, Jack Gould, John States, Larry Eubanks and Kirk Lowell.

Minutes of the December 17, 2003 regular meeting were approved as written.

Pastor John States, First Christian Church, provided the invocation before the city commission meeting.

APPROPRIATION ORDINANCE NO. 24A

APPROVED

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

BOARD OF ZONING APPEAL – APPOINTMENT

MARK PAUL

City Manager Paine stated that Mark Paul has indicated a willingness to be reappointed to the Board of Zoning Appeals. Commissioner Strecker moved to reappoint Mark Paul to a four (4) year term from 1-1-04 to 12-31-07. Commissioner Jindra seconded. Motion carried.

PUBLIC COMMENTS

Armand Balthazor stated he felt the south development should be put on the ballot for the citizens to vote on. He does agree with Commissioner Hosie on the dam part of it.

Izzy Bombardier stated he enjoyed the last meeting. He was in favor of the south development and to purchase the fire chief a vehicle. Mr. Bombardier thanked City Staff and the City Manager for the jobs they do.

John States, President of the Ministerial Association, thanked the commission for taking a proactive stand on the adult entertainment issues.

John States thanked the workers who worked all night to fix the water leak, so he had water the next morning.

ACCEPT BID ON EMERGENCY VEHICLE - FIRE DEPARTMENT

TABLED

City Manager Paine advised members of the Fire Department and Larry Eubanks met with Mike Lamm on a number of different options. Mr. Lamm has loaned Chief Stricklin a ½ ton pick-up, which we would upgrade from there. Commissioner Strecker moved to table the emergency vehicle bid until January 21, 2004, with a discussion at study session following the meeting. Commissioner Baumann seconded. Motion carried.

PRESENTATION – JEREMY URBAN HIGH SCHOOL STUDENT – SENIOR PROJECT

Jeremy Urban presented to the City Commission information on a paint ball field. Mr. Urban stated a paint ball field is a life sport and everyone can gain skills from this. Mr. Urban stated this is a revenue making event.

Commissioner Strecker asked how many paint fields are publicly owned versus privately owned.

Mr. Urban stated there are 7900 publicly owned and 2000 privately owned.

Commissioner Strecker encouraged Mr. Urban to talk to the City Manager regarding placing this on a study session so the commission could obtain additional information.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 7, 2004, contd.

PETITION – CURB & GUTTER PROJECT
JAMES HAIST – 711 W. 5TH

ACCEPTED

Cheryl Lanoue, City Clerk, advised the commission the city received three signed petitions for the curb and gutter replacement project. Ms. Lanoue recommends the commission accept the petitions and pass the resolutions on each project.

Commissioner Strecker moved to accept the petition from James Haist, 711 W. 5th. Commissioner Jindra seconded. Motion carried.

PETITION – CURB & GUTTER PROJECT
JAMES HAIST – 604 E. 7TH

ACCEPTED

Commissioner Jindra moved to accept the petition from James Haist, 604 E. 7th. Commissioner Slaughter seconded. Motion carried.

PETITION – CURB & GUTTER PROJECT
LORRAINE BRAMWELL – 1610 CEDAR

ACCPETED

Commissioner Strecker moved to accept the petition from Lorraine Bramwell, 1610 Cedar. Commissioner Hosie seconded. Motion carried.

RESOLUTION NO. 2004-1508
CURB & GUTTER REPAIR –
JAMES HAIST – 604 E. 7TH

PASSED

Thereupon, there was presented a Resolution entitled:

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

Thereupon, Commissioner Jindra moved that said Resolution be adopted. The motion was seconded by Commissioner Slaughter. 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 Slaughter, Jindra, Baumann, Hosie and Strecker.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1508 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2004-1509
CURB & GUTTER REPAIR –
LORRAINE BRAMWELL – 1610 CEDAR

PASSED

Thereupon, there was presented a Resolution entitled:

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

Thereupon, Commissioner Strecker moved that said Resolution be adopted. The motion was seconded by Commissioner Jindra. 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 Slaughter, Jindra, Baumann, Hosie and Strecker.

Nay: None

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 7, 2004, contd.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1509 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2004-1510
CURB & GUTTER REPAIR –
JAMES HAIST – 711 W. 5TH

PASSED

Thereupon, there was presented a Resolution entitled:

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

Thereupon, Commissioner Hosie moved that said Resolution be adopted. The motion was seconded by Commissioner Slaughter. 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 Slaughter, Jindra, Baumann, Hosie and Strecker.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1510 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2004-1511 -
ESTABLISH REDEVELOPMENT DISTRICT

APPROVED

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 PROJECT 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, ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING ON SUCH MATTERS, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING.

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

Aye: Commissioners Strecker, Hosie, Baumann, Jindra and Slaughter.

Nay: None.

MAYOR/COMMISSIONER COMMENTS & REPORTS

Commissioner Strecker thanked the Public Works Department for putting the "Support the Troops" banner back up.

Commissioner Hosie stated in response to the South Development, the actions are for flood retention and that it would be nice only to have what we need but we don't know what we need because we can not survey it.

STAFF COMMENTS

Larry Paine, City Manager, stated a citizen had received a letter on City letterhead about a code violation and it was not signed. The city did not issue the letter or violation. Mr. Paine wanted the public

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 7, 2004, contd.

to know if they received a letter on City letterhead that was not signed by a staff person, please call city hall.

Mr. Paine advised the commission he was reviewing the applications/resumes for the Community Development Specialist and hopes the interviews and special projects would be complete by the end of the month.

Mr. Paine stated the city received 1.3 million in combined sales tax for the year and the budget amount was 1,060,000.

EXECUTIVE SESSION - NON-ELECTED PERSONNEL**HELD**

At this time Commissioner Strecker moved that the commission recess into executive session for Sixty (60) minutes to discuss non-elected personnel. Commissioner Jindra seconded. Motion carried. Time: 6:14 p.m.

The commission reconvened at 7:14 p.m.

Mayor Strecker announced that there was no binding action taken.

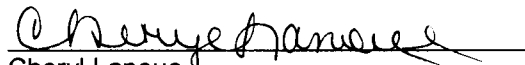
Commissioner Strecker moved to recess into executive session for an additional thirty (30) minutes to discuss non-elected personnel. Commissioner Jindra seconded. Motion carried. Time: 7:15 p.m. Inviting: Larry Paine.

The commission reconvened at 7:45 p.m.

Mayor Strecker announced that there was no binding action taken.

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

There being no further business, Commissioner Jindra moved to adjourn the meeting to January 14, 2003 at 5:30 p.m. at City Hall. Commissioner Strecker seconded. Motion carried.


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JANUARY 14, 2004

The governing body met in adjourned session on January 14, 2004, at 5:30 p.m. in the City Commission Room with the Mayor Strecker presiding and the following members present: Commissioners Baumann, Slaughter, Hosie and Jindra.

Absent: None.

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

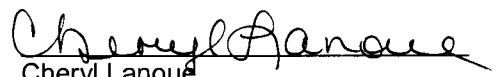
The Mayor declared that a quorum was present and called the meeting to order.

Visitors: Ron Copple, Larry Remmenga, Armand Balthazor, Ima Jean Chavey and Jeff Stricklin.

APPROPRIATION ORDINANCE #24**APPROVED**

The year end appropriation ordinance No. 24 was approved according to law.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD NOVEMBER 18, 2004

The governing body met in adjourned session on November 18, 2004 at 7:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hosie, Baumann, Strecker, and Jindra.

Absent: Commissioner Slaughter.

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

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

Visitors: Burl Maley, Armand Balthazor, Jack Gould, Jessica LeDuc, Jeff Stricklin, Arlene Clayton, Sarah Holbert, Gary Holbert, Ron Deal, Jeannie and Cheri Wilson, Kirk Lowell, Danny McReynolds and Amy Maxwell.

There were no additions or deletions to the Agenda.

Commissioner Strecker moved to approve the minutes of the November 3, 2004 regular meeting as written. Commissioner Baumann seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 21

APPROVED

Commissioner Jindra moved to approve Appropriation Ordinance No. 21. Commissioner Strecker seconded. Motion carried.

PUBLIC COMMENTS

Arlene Clayton stated she attended an event at the Brown Grand and there was an attitude and coolness in the building.

Armand Balthazor advised there was an article in the Salina Journal today regarding sales tax and Concordia-Cloud County was down in sales tax. Mr. Balthazor felt the commission should consider cutting conferences and meetings out of the budget.

DANGEROUS DOG ORDINANCE

REFERRED BACK TO STAFF (STUDY SESSION)

Larry Uri, City Attorney presented a dangerous dog ordinance to the commission, reflecting the following changes:

1. Without provocation, inflicted substantial bodily harm on a human being on public or private property; or
2. Killed a domestic animal without provocation while off the owner's property; or
3. Been found to be potentially dangerous as defined by Sec. 4-185A, and after the owner has been given reasonable cause to know that the dog is potentially dangerous, the dog aggressively bites, attacks, or endangers the safety of humans or domestic animals; or
4. Which is of the following breeds or having the appearance and characteristics of being predominantly of the following breeds:
 - a. Bull Terrier;
 - b. Staffordshire Bull Terrier;
 - c. American Pit Bull Terrier;
 - d. American Staffordshire Terrier;
 - e. Rottweiler.

Potentially dangerous dog defined.

1. When unprovoked, inflicts bites on a human or domestic animal on public or private property; or
2. When unprovoked, chases or approaches a person upon the streets, sidewalks, or any public property in an apparent attitude of attack; or
3. Has a known propensity, tendency or disposition to attack, unprovoked, causing injury or otherwise threatening the safety of humans or domestic animals.

Restriction of potentially dangerous dogs.

Upon the complaint of any person, after written notice to the person or persons, if any, identified as the owner, keeper, harbinger, or possessor of the dog, the judge of the municipal court shall hold a hearing to determine whether the dog is potentially dangerous as defined in Section 4-185. Upon a determination that the dog is potentially dangerous as so defined, the judge may order

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD NOVEMBER 18, 2004, contd.

the dog to be confined or restricted in such manner as the court determines to be appropriate. Conviction of a person under Section 4-190 is not a prerequisite to a proceeding under this section.

Mayor Hosie stated the ordinance had identified the procedures for dangerous dogs and wished to proceed with the ordinance.

Commissioner Strecker stated the ordinance should be referred back to staff to look at all animals in the City limits.

Following discussion, Mayor Hosie moved to approve Ordinance 2004-2880. The motion failed for a lack of a second.

Commissioner Strecker moved to refer the dangerous dog ordinance back to staff (study session). Commissioner Baumann seconded. The motion was carried by the vote of the governing body, being as follows:

Aye: Commissioners Strecker, Baumann and Jindra.

Nay: Commissioner Hosie.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Mayor Hosie asked about the Core of Engineers on the South Project. Mr. Paine advised there was no new information.


Mayor Hosie stated he was down on the 1st Street project and it looked good. Mayor Hosie said the City and County are not down in Sales Tax.

Mayor Hosie asked if there had been a response from the KBI. Mr. Paine advised the investigation is on going.

STAFF COMMENTS

Mr. Paine advised 21st Street project has started.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 21, 2004

The governing body met in regular session on January 21, 2004, at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hosie, Jindra, Baumann, Slaughter, and Strecker.

Absent: None.

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

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

Visitors: Burl Maley, Jessica LeDuc, Jeff Stricklin, Ron Copple, Brian Strait, Armand Balthazor, Larry Remmenga, Jack Gould, John States, Larry Eubanks, Wendy Mitchell, Carly Horkman, Elizabeth Fogle, Isadore Bombardier, Robert L. Steimel, Don Dean, Dave Swenson, Ima Jean Chavey, Delmar & Ruth Harris, Beldon and Marilyn Blosser, Virgil Hayward, and Kirk Lowell.

Minutes of the January 7, 2004 regular meeting and January 14, 2004 adjourned meeting were approved as written.

Pastor John States, First Christian Church, provided the invocation before the city commission meeting.

APPROPRIATION ORDINANCE NO. 1

APPROVED

Appropriation Ordinance No. 1 was approved according to law.

FOURTH QUARTER INVESTMENT REPORT

ACCEPTED

City Clerk Lanoue presented the fourth quarter investment report per Ordinance No. 1860. Total interest received for the fourth quarter in 2003 was \$21,331.32 compared to \$17,326.72 for 2002. Commissioner Strecker moved to place on file the fourth quarter investment report. Commissioner Jindra seconded. Motion carried.

PUBLIC COMMENTS

David Swenson stated Skyline II, LLC has a Holiday Inn franchise and a construction contract has been signed. Construction should start after the site plan and building permits have been approved.

Mr. Swenson stated since March 19, 2003 the two parties were not able to agree upon a price for all the land North of College Drive. Mr. Swenson stated the following:

- City has not determined the cost.
- Developable Land - \$30,000 to \$50,000 per acre
- Land near Plum Road - \$600 per acre
- City does not have a proposed developer for the Skyline II and the South Development is Zoned C-2.

Mr. Swenson, on behalf of Beldon and Marilyn Blosser, would like to propose to donate the land needed for the construction of a dam and reservoir for drainage easement. This would be all the colored area on the attached map. (Map was presented by Mr. Swenson)

Commissioner Strecker asked about the easement for the area North of Plum Road.

Mr. Swenson stated he was not authorized to discuss that.

Commissioner Hosie thanked Mr. Swenson and the Blossers for trying to protect the people of Concordia.

PUBLIC HEARING – REDEVELOPMENT PROJECT PLAN – SKYLINE II

HELD

Mayor Strecker opened a hearing. Mayor Strecker advised the hearing was to provide an opportunity to explain to the public the details of the Redevelopment Project Plan for Skyline II.

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 project plan pursuant to the provisions of K.S.A. 12-1770 *et seq.* (the "Act"). The City Attorney presented the proposed redevelopment project plan and feasibility study

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 21, 2004, contd.

required by the Act. Thereafter, all interested persons were afforded an opportunity to present their views on such matters.

Larry Uri, City Attorney, stated the Skyline II area is the colored area which David Swenson showed in his maps. There is an Ordinance after the public hearing which would enable financing for projects in this area.

Armand Balthazor stated he felt the redevelopment district was ahead of schedule.

Mayor Strecker closed the public hearing.

PUBLIC HEARING – REDEVELOPMENT PROJECT PLAN – BOWERS

HELD

Mayor Strecker opened a hearing. Mayor Strecker advised the hearing was to provide an opportunity to explain to the public the details of the Redevelopment Project Plan for Bowers.

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 project plan pursuant to the provisions of K.S.A. 12-1770 *et seq.* (the "Act"). The City Manager presented the proposed redevelopment project plan and feasibility study required by the Act. Thereafter, all interested persons were afforded an opportunity to present their views on such matters.

Larry Uri, City Attorney, stated the ordinance would enable financing of improvements which are done. Mr. Uri stated Bond Counsel and the City's financial advisors stated there would not be a problem with this.

There was no public comments.

Mayor Strecker closed the public hearing.

ORDINANCE NO. 2004-2866 SKYLINE II – REDEVELOPMENT DISTRICT

APPROVED

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

AN ORDINANCE OF THE CITY OF CONCORDIA, KANSAS ADOPTING A REDEVELOPMENT PROJECT PLAN FOR USE IN CONJUNCTION WITH A PREVIOUSLY ESTABLISHED REDEVELOPMENT DISTRICT, AND MAKING CERTAIN FINDINGS IN CONJUNCTION THEREWITH.

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

Aye: Commissioners Strecker, Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Ordinance having been adopted by a 2/3rds vote of the members of the City Commission, it was given No. 2004-2866, 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.

ORDINANCE NO. 2004-2867 BOWERS REDEVELOPMENT DISTRICT

APPROVED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE OF THE CITY OF CONCORDIA, KANSAS ADOPTING A REDEVELOPMENT PROJECT PLAN FOR USE IN CONJUNCTION WITH A PREVIOUSLY ESTABLISHED REDEVELOPMENT DISTRICT, AND MAKING CERTAIN FINDINGS IN CONJUNCTION THEREWITH.

Thereupon, Commissioner Strecker moved that said Ordinance be adopted. Commissioner Baumann seconded the motion. Said Ordinance was duly read and considered, and upon being put, the

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 21, 2004, contd.

motion for the passage of said Ordinance was carried by the vote of the governing body, the vote being as follows:

Yes: Commissioners Bombardier, Baumann, Jindra, Hosie 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. 2004-2867 and was signed and approved by the Mayor and attested by the Clerk.

ACCEPT BID ON EMERGENCY VEHICLE - FIRE DEPARTMENT

TABLED

City Manager Paine advised the city has not received the information for the commission to review and asked for the bid to be tabled indefinitely. Commissioner Strecker moved to table the emergency vehicle bid indefinitely. Commissioner Slaughter seconded. Motion carried.

BID AWARD - DOWNTOWN REVITALIZATION PROJECTS

BRYANT AND BRYANT

Larry Paine, City Manager, advised the commission the city received a total of three (3) proposals. Bryant and Bryant Construction and Budreau Construction were opened and read. The third bid from Hood Heating & Air was received after the 10:00 a.m. deadline and returned to them unopened. This project is funded under the CDBG Grant for the Downtown Revitalization. The contract specified all work on the project must be completed by September 3, 2004. The following are the two bids received.

<u>BIDDER</u>	<u>TOTAL BID AMOUNT</u>
Bryant & Bryant Construction	\$72,659.00
Budreau Construction	\$193,307.50
Hood Htg. & Air (Bid received late and was not opened)	

Following discussion, Commissioner Hosie moved to accept the bid from Bryant and Bryant in the amount of \$72,659.00. Commissioner Strecker seconded.

BID AWARD - 6TH STREET - KLINK RESURFACING PROJECT

HALL BROTHERS

Ron Copple, Director of Public Works, advised the commission the city received one (1) bid for the KLINK resurfacing project on 6th Street from Cedar Street to Broadway Street. The following is the only bid the city received. Kansas Department of Transportation will reimburse the city 75% of the contracted amount. The completion date of the project is May 29, 2004.

<u>BIDDER</u>	<u>BID AMOUNT</u>
Hall Brothers Construction, Inc.	\$84,805.22

Following discussion, Commissioner Jindra moved to accept the bid from Hall Brothers Construction in the amount of \$84,805.22. Commissioner Baumann seconded. Motion carried.

MAYOR/COMMISSIONER COMMENTS & REPORTS

Commissioner Hosie thanked Beldon and Marilyn Blosser for the offer.

Commissioner Slaughter stated the curb and gutter program has gone over and there are more people wanting curb and gutter done. Commissioner Slaughter would like the City Manager and staff to study this and possibly budget more money in special projects for this program.

STAFF COMMENTS

City Manager Paine advised "City Hall Day" at the Capitol was January 29th and Amanda Hinman would be recognized for her essay. Mr. Paine asked if any of the commissioners would like to attend. Commissioner Strecker stated he would and possibly Commissioner Jindra.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 21, 2004, contd.

Ron Copple, Director of Public Works, thanked the people that helped with the 1st Street grant application: Cheryl Lanoue and staff, Cher Boling, Campbell and Johnson, Doug McKinney, Kirk Lowell and the City Commission for backing staff.

EXECUTIVE SESSION - LAND ACQUISITION

HELD

At this time Commissioner Strecker moved that the commission recess into executive session for forty-five (45) minutes to discuss land acquisition. Commissioner Jindra seconded. Motion carried. Time: 6:24 p.m. Inviting: Larry Uri and Larry Paine.

The commission reconvened at 7:09 p.m.

Mayor Strecker announced that there was no binding action taken.

EXECUTIVE SESSION - NON-ELECTED PERSONNEL

HELD

At this time Commissioner Strecker moved that the commission recess into executive session for fifteen (15) minutes to discuss non-elected personnel. Commissioner Jindra seconded. Motion carried. Time: 7:12 p.m.

The commission reconvened at 7:27 p.m.

Mayor Strecker announced that there was no binding action taken.

Commissioner Strecker moved to recess into executive session for an additional fifteen (15) minutes to discuss non-elected personnel. Commissioner Jindra seconded. Motion carried. Time: 7:28 p.m. Inviting: Larry Paine.

The commission reconvened at 7:43 p.m.

Mayor Strecker announced that there was no binding action taken

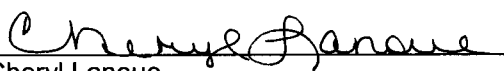
CITY MANAGER PAINE AGREEMENT

TWO YEARS

Commissioner Strecker moved to continue the employment agreement with Lawrence Paine for an additional two (2) years starting 2-24-04 with a three (3) percent pay increase and a \$430 vehicle allowance per month. Commissioner Jindra seconded. Motion carried.

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

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


Cheryl Lanoue
City Clerk

(Seal)

ATTACHMENTS

IN

FILE

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 4, 2004

The governing body met in regular session on February 4, 2004, at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hosie, Jindra, Baumann and Slaughter.

Absent: Commissioner Strecker.

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

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

Visitors: Burl Maley, Jessica LeDuc, Jeff Stricklin, Ron Copple, Brian Strait, Larry Remmenga, Larry Eubanks, Isadore Bombardier, Ken Johnson, Derek Newlin, Jon Hatesohl, Bryan Larsen, Mike Lamm, Ray Houser, Cash Reynolds, Jim Winter, Joe Hamel, Kevin Johnson, Deanna Pounds, Luann Miller and Emmet Rudolph.

Minutes of the January 21, 2004 regular meeting with amendments as follows:

- ORDINANCE NO. 2004-2867(BOWERS REDEVELOPMENT DISTRICT)

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 Slaughter, Baumann, Jindra, Hosie and Strecker.

No: None.

- PUBLIC COMMENTS

Mr. Swenson, on behalf of Beldon and Marilyn Blosser, would like to propose to donate a drainage easement needed for the construction of a dam and reservoir.

Commissioner Slaughter moved to approve the January 21, 2004 minutes with the above corrections. Commissioner Baumann seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 2

APPROVED

Appropriation Ordinance No. 2 was approved according to law.

PUBLIC COMMENTS

Izzy Bombardier thanked the Street Department for the job they have done on snow removal. Mr. Bombardier stated he would like the commission to continue working on the 21st Street proposal.

Jim Winter stated he would like the 21st Street proposal be considered also.

PUBLIC HEARING – REDEVELOPMENT PROJECT PLAN – MID-AMERICA AUTO

HELD

Mayor Pro-Tem Hosie opened a hearing. Mayor Pro-Tem Hosie advised the hearing was to provide an opportunity to explain to the public the details of the Redevelopment Project Plan for Mid-America Auto Center.

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 project plan pursuant to the provisions of K.S.A. 12-1770 *et seq.* (the "Act"). The City Attorney presented the proposed redevelopment project plan and feasibility study required by the Act. Thereafter, all interested persons were afforded an opportunity to present their views on such matters.

There is an ordinance after the public hearing which would enable financing for projects in this area.

Mike Lamm, Babe Houser Motor, voiced his concern about TIF monies being used to subsidize a business expansion. Mr. Lamm stated when a project moves forward, he is all for it, but he is concerned with a project that is being done very quickly through subsidies. Mr. Lamm stated he is all for Ben expanding because it means people will have more reasons to stay in Concordia to purchase their vehicles. Mr. Lamm felt the spirit of TIF was for infrastructure projects, not to finance a business expansion. Mr. Lamm stated he was concerned about how the city would deal with other similar projects in the future; he felt there could be some ramifications in the future. Mr. Lamm stated Babe House Motor will be needing improvements in the future and wonders if the same offers will be made to them.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 4, 2004, contd.

City Attorney Uri stated the proposed project is within the scope of the TIF's definition.

Mayor Pro-Tem Hosie closed the public hearing.

ORDINANCE

MID-AMERICA AUTO CENTER - REDEVELOPMENT DISTRICT

TABLED

Commissioner Baumann moved to table the Mid-America Auto Center Ordinance until March 3, 2004. Commissioner Slaughter seconded. Motion carried.

ORDINANCE NO. 2004 – 2868 – 801 LINCOLN ZONING CHANGE – CITIZENS NATIONAL BANK

APPROVED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY AND CHANGING THE ZONING DISTRICT BOUNDARY MAPS OF THE CITY OF CONCORDIA, KANSAS.

Thereupon, Commissioner Jindra moved that said Ordinance be adopted. The motion was seconded by Commissioner Slaughter. 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 Jindra, Hosie, Baumann and Slaughter.

Nay: None.

Thereupon, the Mayor Pro-Tem declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2004-2868 signed by the Mayor Pro-Tem and attested by the Clerk.

BROWN GRAND UPDATE

Deanna Pounds, Theatre Manager, and Luann Miller, Vice President Brown Grand Board, advised the commission about the year of 2003 at the Brown Grand. Deanna thanked the city for the continued support by paying the insurance, utilities, snow removal and lawn mowing.

ACCEPT ENGINEERING AGREEMENT CAMPBELL & JOHNSON – 1st STREET/CDBG

ACCEPTED

Ron Copple, Director of Public Works, presented an agreement between Campbell & Johnson, Engineers and the City of Concordia, Kansas, to provide engineering services for the First Street Community Development Block Grant project. Commissioner Jindra moved to authorize the Mayor Pro-Tem and City Clerk to sign this agreement. Commissioner Slaughter seconded. Motion carried.

DECLARATION FOR PARTICIPATION IN THE FIREFIGHTERS RELIEF FUND

APPROVED

Larry Paine, advised the commission this was an annual Declaration of Participation in the Firefighters Relief Fund and staff was recommending the Commission authorize the Mayor Pro-Tem and City Clerk to execute the State of Kansas Declaration of Participation in the Firefighters Relief Fund for 2004. Commissioner Hosie moved to authorize the Mayor Pro-Tem and City Clerk to execute the State of Kansas Declaration for Participation in the Firefighters Relief Fund for 2004. Commissioner Slaughter seconded. Motion carried.

ANNUAL LIFE SAFETY ACHIEVEMENT AWARD – 2002

Chief Stricklin advised the Commission the Concordia Fire Department has earned the 2002 Life Safety Achievement Award. This award is given to fire departments that have zero fire deaths in structures during the year.

PURCHASING POLICY

City Manager Paine advised the purchasing policy is for general purchases/grants/vehicle and equipment purchasing as follows:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 4, 2004, contd.

Section: Purchasing Policy

PURPOSE: To establish purchasing policies which govern the purchase of goods and/or services by the City of Concordia.

POLICY: The purpose of this policy is to set guidelines which govern the major purchases of goods and/or services by the City of Concordia. It shall also serve as an informational document to be given to local vendors so they are informed as to the City's purchasing guidelines.

Section 1. General Guidelines

Whenever possible, a commodity or service is to be obtained at both the lowest cost possible and highest quality required in order to maintain efficient City departmental operations. Department Heads shall determine the quantities needed of each item based upon such factors as usage, price discounts, shipping time, shelf life, price and any other factors as determined relevant by City staff.

All purchases made on behalf of the City of Concordia are to be made in accordance with the following objectives:

1. Provide for local purchasing when economically feasible;
2. Provide for effective expenditure of City funds;
3. Provide for best protection of City residents;
4. Provide for accurate accounting documentation;
5. Provide for equal opportunity, fairness and competitiveness with all vendors;
6. Provide for compliance with all applicable federal, state and local laws and regulations.

The level of expenditures for each department is determined by annual adoption of the Budget by the Governing Body. The City Manager is responsible for ensuring the purchasing practices are in accordance with this policy. The Governing Body reviews all disbursements by an appropriation ordinance and approves certain competitive bids.

All purchases are to be based upon need.

Section 2: City Commission

The City Commission determines expenditure levels through the approval of the budget.

The commission approves the final disbursement of all public funds semi-monthly. If a purchase is over \$5,000 or a public improvement is over \$10,000, commission approval is required.

Section 3: City Manager

The City Manager is responsible for the city's financial affairs and management. The City Manager will approve purchases over \$1,000 and under \$5,000.

Purchases of more than \$1,000 per singular item or line item or category shall be placed on a voucher form with an estimated cost, if actual cost is unknown. The City Manager shall approve or disapprove the purchase.

Section 4: Methods of Purchasing

There are five (5) basic purchasing methods that can be used by City personnel. These methods are as follows:

- A. **Daily Purchasing** - There are any number of items which are needed on a daily basis and are purchased on a routine basis from local vendors. Because of their commonality, it is not normal to formally bid such products; however, attention is made to price and quality. Under emergency conditions, purchasing of major items may be made in this matter.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 4, 2004, contd.

- B. **Competitive Pricing (verbal)** - This involves contacting local vendors and receiving competitive prices on goods and services which are routine but are of a high enough cost to justify shopping around in order to receive the best price.
- C. **Competitive Pricing (written)** - This method is utilized when the quantity is of sufficient size to warrant informal review by the City Staff and/or Governing Body. This method is generally used when there exist several vendors who market the same product.
- D. **Competitive Sealed Bids**: This method is used when major equipment or professional services are being secured which may be out of the ordinary and the City wants to obtain the best price and service available. This method is also used when such factors as scheduling requirements, beginning time, delivery time, total cost, warranty and other factors need to be evaluated. The process is initiated by giving the bid specifications to the City Clerk. A notice will be published at least once in the local newspaper. The Department Head will bring results of the bid process, along with their recommendation, to a City Commission meeting. The Commission reserves the right to accept or reject any and/or all bids. This method is also used when required by State or Federal grant programs.
- E. **Competitive Negotiations**. Competitive negotiations are initiated by publishing a Request For Proposals (RFP) or a Request For Qualifications (RFQ). The RFP is used when price is a factor in selection; the RFQ is used when price is primarily considered after selection (generally for engineering and architectural services).
 - 1. In both RFP and RFQ, the services to be procured are clearly defined, as are the factors to be used in evaluation and selection.
 - 2. All proposals received are to be reviewed according to the defined selection criteria; the review should be in writing such as a ranking system.
 - 3. For RFQ's, an invitation is made to one or more respondents to negotiate a price or fee.
 - 4. For both RFQ's and RFP's, selection is made on the basis of the most responsible offer or price and other factors considered.
 - 5. Preparation and signing of a contract formalizing a scope of work and the terms of compensation is required.

It should be noted that while the above methods are considered normal purchasing procedures, situations might dictate a deviation from using one method as opposed to another.

Section 5: Vehicle/Equipment Purchasing

A. Policy

All vehicles/equipment are to be purchased within the City of Concordia, if possible and feasible, and will be bid by competitive sealed bids.

All vehicles/equipment will be purchased from vendors within the City of Concordia if there are two or more vendors for the type of vehicle/equipment being purchased. Any bids being solicited from out of town vendors will have prior commission approval to do so.

Prior to soliciting for bids to purchase any vehicle/equipment, the Department Head will bring all specifications for needed vehicle/equipment to a City Commission Study Session

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 4, 2004, contd.

at which time needs and specifications will be discussed. After review by the City Commission at a study session, the City Clerk or Department Head will then solicit bids. Bids will be presented at a City Commission meeting for Commission action.

While the above method is considered normal purchasing procedure, situations might dictate a deviation from use of this method. Permission to deviate from this policy will be obtained by the City Commission prior to any deviation of policy.

B. Definitions

1. **Vehicle** - Every motor vehicle designed, used, or maintained primarily for the transportation of personnel or property. (Trucks, cars, dump truck, fire trucks, ambulance, etc.)
2. **Equipment** - What is needed or is provided to carry out a particular purpose. (Backhoe, street sweeper, loader, mowers, jaws of life, etc.)

Section 6: Summary

This purchasing policy is a guideline for all City purchases, including vehicle/equipment and is to be used as an explanation to all vendors when questions arise concerning our purchasing methods. Whenever possible, the City of Concordia will attempt to do the majority of business with local vendors provided that the service or commodity being considered is of a competitive price and equal quality.

Section 7: Procurement Procedures (Grants)

Below is an attachment to the written purchasing policy adopted by the Grantee, the City of Concordia, Kansas for use during Small Cities Community Development Block Grant projects and related federal or state-funded endeavors. These procedures are in general accord with federal requirements set forth in Public Law 103-355. The intent of the procedures is to describe how the Grantee obtains services and supplies for project activities. For each procurement procedure listed herein, direct solicitation of minority-owned and woman-owned business enterprises will occur. Price or rate quotations should be obtained (either by phone or in writing) from an ample number of qualified sources (usually three or more).

1. *Small Purchases.* Small purchases are a simple and informal method used where goods or services do not cost in aggregate more than \$25,000.
 - a. Documentation regarding businesses contacted and the prices quoted should be maintained in the procurement file.
 - b. Written documentation regarding basis for selection and cost should be maintained in the procurement file. Action taken by the Grantee should be recorded in meeting minutes.
 - c. Preparation and signing of a contract formalizing a scope of work and the terms of compensation is required for purchases totaling \$1,000 or greater.
2. *Competitive Sealed Bids.* Competitive sealed bids are initiated by publishing an Invitation for Bids (IFB) or similar notice in a local newspaper, local television access channel and/or in contractor trade publications.
 - a. The IFB process is used when detailed specifications for the goods or services to be procured can be prepared and the primary basis for award is cost.
 - b. All bids received must be opened in public and tabulated according to published selection criteria; the results are provided in writing to bidders.
 - c. The contract awarded must be firm-fixed-price contract (based on lump sum or unit price)
 - d. Preparation and signing of a contract formalizing a scope of work and the terms of compensation is required once local officials endorse the bid action and contract amount.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 4, 2004, contd.

3. *Competitive Negotiations.* Competitive negotiations are initiated by preparing a Request For Proposals (RFP) or a Request For Qualifications (RFQ). The RFP is used when price is a factor in selection; the RFQ is used when price is not considered until after selection. If local funds only are used to pay for any of the services being procured through this process, the Grantee can elect to consider and discuss the project and proposed scope of services with a minimum of firms it has had prior experience with. If CDBG funds are used to pay for any of the services being procured, then the RFP or RFQ is published in newspapers with general circulation in counties where consultants are located. If no CDBG funds are used, then, the requests are simply mailed or provided directly to three or more engineering firms in the region.
- a. In both RFP and RFQ, the services to be procured are clearly defined, as are the factors to be used in evaluation and selection.
 - b. All proposals received are to be reviewed according to the defined selection criteria; the review should be in writing such as a ranking system.
 - c. For RFQ's, an invitation is made to one or more respondents to negotiate a price or fee for services to be provided.
 - d. For both RFQ's and RFP's, final selection is made on the basis of the most responsible offer or price and other factors considered such as qualifications.
 - e. Preparation and signing of a contract formalizing a scope of work and the terms of compensation occurs after selection and contact is made with the chosen firm.

Regarding the administration of CDBG projects, the Grantee will either administer the project, or contract with a regional planning commission, depending on the project location and proposed complexities it presents. No procurement is needed for either of these scenarios.

1. *Non-Competitive Negotiations.* Non-competitive negotiations can be used only when (1) the use of competitive negotiations is not feasible, (2) there is some public emergency, or (3) the results of the competitive negotiations are inadequate.

In summary, if CDBG funds are used to pay for a product or service, or any part thereof, CDBG procurement procedures will apply to the project activity unless the aforementioned local procurement policies are stricter. If CDBG funds are not used to pay for any of a contract, the Grantee written procurement procedures will apply.

PURCHASING REQUEST FOR FUNDS BETWEEN \$1,000 - \$5,000

DEPARTMENT: _____

PURCHASE REQUEST: _____

FUNDING LINE: _____

VENDOR: _____

ADDRESS: _____

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 4, 2004, contd.

AMOUNT: \$ _____

COMMENTS: _____

DEPARTMENT HEAD _____

APPROVED _____ **DISAPPROVED** _____

CITY MANAGER _____

DATE _____

Commissioner Jindra moved to approve the purchasing policy. Commissioner Slaughter seconded. Motion Carried.

MAYOR/COMMISSIONER COMMENTS & REPORTS

Commissioner Jindra stated he has had lots of positive comments on the snow removal and advised Smokey Hill Public TV would be airing an Orphan Train segment.

Commissioner Baumann stated staff had done a good job on the purchasing policy.

Commissioner Hosie asked if staff was working to clarify the map presented at the last meeting.

City Manager Paine advised staff has been working on that and hopefully on the February 11, 2004 meeting staff would be able to provide you the information.

Commissioner Hosie asked if a construction contract had been signed.

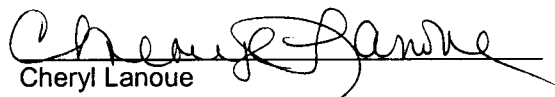
City Manager Paine advised the city has not received a site plan, but has been working with the developer.

STAFF COMMENTS

City Manager Paine advised the Commission of the following:

- Fire Department was working on lowering the ISO ranking, which should lower the cost of insurance for commercial sites.
- The City's Auditor would be here on February 17, 2004.
- Asking for the community to continue removal of snow on the sidewalks, so pedestrians may walk.

There being no further business, Commissioner Baumann moved to adjourn the meeting to February 11, 2004 at 5:30 p.m. in the City Commission Room. Commissioner Slaughter seconded. Motion carried.


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD FEBRUARY 11, 2004

The governing body met in adjourned session on February 11, 2004, at 5:30 p.m. in the City Commission Room with the Mayor Strecker presiding and the following members present: Commissioners Slaughter, Hosie, Baumann and Jindra.

Absent: None.

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

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

Visitors: Ima Jean Chavey, Robert L. Steimel, Kirk Lowell, Frank Mercurio and Ken Johnson.

EXECUTIVE SESSION - LAND ACQUISITION

HELD

At this time Commissioner Strecker moved that the commission recess into executive session for ninety (90) minutes to discuss land acquisition. Commissioner Slaughter seconded. Motion carried. Time: 5:32 p.m. Inviting: Larry Paine, Larry Uri, Frank Mercurio, Ken Johnson and Kirk Lowell.

The commission reconvened at 7:02 p.m.

Mayor Strecker announced that there was no binding action taken.

Commissioner Strecker moved to recess into executive session for an additional thirty (30) minutes to discuss land acquisition. Commissioner Jindra seconded. Motion carried. Time: 7:05 p.m. Inviting: Larry Paine, Larry Uri, Frank Mercurio, Ken Johnson and Kirk Lowell.

The commission reconvened at 7:35 p.m.

Mayor Strecker announced that there was no binding action taken.

Commissioner Strecker moved to recess into executive session for an additional fifteen (15) minutes to discuss land acquisition. Commissioner Jindra seconded. Motion carried. Time: 7:37 p.m. Inviting: Larry Paine, Larry Uri, and Frank Mercurio.

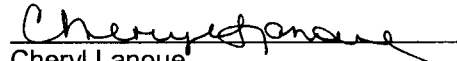
The commission reconvened at 7:52 p.m.

Mayor Strecker announced that there was no binding action taken.

BLOSSER EASEMENT OFFER

Mayor Strecker instructed the engineer to research and study the Blosser offer to see how it would work with the 21st Street dam. Commissioner Hosie requested the City Attorney advise the commission on the advantages and disadvantages of a drainage easement. No action was taken on the Blosser easement offer.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 18, 2004

The governing body met in regular session on February 18, 2004, at 5:30 p.m. in the City Commission Room with Mayor Strecker presiding and the following members being present and participating, to wit: Commissioners Hosie, Jindra, and Slaughter.

Absent: Commissioner Baumann.

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

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

Visitors: Burl Maley, Jessica LeDuc, Jeff Stricklin, Ron Copple, Brian Strait, Armand Balthazor, Larry Remmenga, Isadore Bombardier, Robert L. Steimel, Ima Jean Chavey, Beldon Blosser, Sarah Holbert, Ron Deal, Ron Cailteux, Denise deRochfort-Reynolds, Larry Eubanks, Joe Hamel, Jim Winter, Emmet Rudolph, and Kirk Lowell.

Minutes of the February 4, 2004 regular meeting were amended to read as follows:

Mayor/Commissioner Comments – Commissioner Hosie asked if a site plan had been submitted.

Commissioner Hosie moved to approve the above amendment to the minutes. Commissioner Slaughter seconded. Motion carried.

Minutes of the February 11, 2004 adjourned meeting were approved as written.

APPROPRIATION ORDINANCE NO. 3

APPROVED

Appropriation Ordinance No. 3 was approved according to law.

PUBLIC COMMENTS

Armand Balthazor stated the city should not be a developer. He felt we should not make government bigger, but should make it smaller. Mr. Balthazor stated we should just fix the dam, with the money being spent on development.

Kirk Lowell stated on February 13, 2004 CloudCorp received an open record request by Mr. Swenson. Mr. Lowell stated CloudCorp has been represented by this firm and felt it inappropriate and a conflict of interest.

FRANK CARLSON LIBRARY REVIEW

DENISE DEROCHEFORT-REYNOLDS

Denise deRochefort-Reynolds, librarian at Frank Carlson Library, advised the commission about the Frank Carlson Library services for the year of 2003. The library is open 60 hours per week. The library offers educational and recreational services to the community. There are many videos and DVD's available to check out. Ms. deRochefort-Reynolds provided the following:

- The average number of people using computers per month is 839.
- Total number of new books added in 2003 was 1131.
- Number of books read during the 2003 Summer Reading Program was 3495.
- Total number of adult books checked out in 2003 was 17731.
- Total number of children's books checked out in 2003 was 9890.

Ms. Reynolds stated the library is here to serve the public. She stated the library board is excellent, along with the staff and community support, city commissioners and employees.

ACCEPT ADMINISTRATION AGREEMENT NORTH CENTRAL REGIONAL PLANNING COMMISSION – 1st STREET/CDBG

ACCEPTED

Cheryl Lanoue, City Clerk, presented an agreement between North Central Regional Planning Commission and the City of Concordia, Kansas, to provide administration services for the First Street Community Development Block Grant project. Commissioner Jindra moved to authorize the Mayor and City Clerk to sign this agreement. Commissioner Strecker seconded. Motion carried.

GRANT AGREEMENT – KANSAS DEPT. OF COMMERCE

ACCEPTED

Commissioner Hosie moved to authorize the Mayor to sign the grant agreement with the Kansas Department of Commerce. Commissioner Slaughter seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 18, 2004, contd.

ADVANTAGES & DISADVANTAGES OF DRAINAGE EASEMENT - 20th STREET

City Attorney Uri advised the following to the City Commission:

Easement – A right in the owner of one parcel of land, by reason of such ownership, to use the land of another for a special purpose not inconsistent with a general property owner.

Advantages:

1. Permits multiple uses of property
2. The parties can define the extent of the easement
3. May be less expensive than acquiring property outright

Disadvantages:

1. Where several parties own interests in the same tract, the uses available to each are restricted by the uses available to the other.
2. The rights of an easement holder are strictly limited by the terms of the easement.
3. Additional expenses may be incurred by the parties in accommodating their mutual rights.

Proposed Drainage Easement:

Advantages:

1. Permits multiple uses of property. The city could use the property for its purposes without having any other ownership responsibilities.
2. The parties can define the extent of the easement. The city has an opportunity to negotiate an easement that will provide for all of its needs with respect to the property.
3. May be less expensive than acquiring property outright. The Blossers have offered the easement as a donation. There is a question as to whether the savings in acquisition would be offset by later costs associated with the shared ownership of the property, or by opportunities lost because of incomplete ownership. (Example: Grants)

Disadvantages:

1. Where several parties own interests in the same tract, the uses available to each are restricted, by the uses available to the other. Since Mr. Blosser has offered an easement, we must assume that he has a reason reserving the right use the property in ways that are not inconsistent with the city's use. It is possible that an intended use by one party could conflict with or restrict the use of the property by the other party.
2. The rights of an easement holder are strictly limited by the terms of the easement. Mr. Blosser has offered a drainage easement. A letter written by his attorney, David Swenson, stated that the easement is intended "to permit the construction of a needed flood control dam and storm water storage basin." No further definition has been offered. This leaves several questions to be answered:
 - Would the easement be permanent, or would it be for a limited number of years?
 - Would the city be able to transfer rights in the easement to other parties, or would the easement be restricted to the city alone?
 - Would the easement permit a road across the dam or other roads or rights of access?
 - Would the easement allow a permanent pool of water, or does the landowner expect that the dam would be designed so as to keep the land dry except in time of storm?
 - Unless specifically agreed to, the easement would not permit a park or other recreational uses, and would not permit use of the land by the city for new utility easements or any other purpose unrelated to drainage.
 - Nothing has been said about the extent to which the city would be permitted to repair, maintain or replace any dam or other structure.
 - The offer is for an easement to construct a "needed" flood control dam. Who will decide how much of a dam is "needed" at the present, and whether or to what extent a dam is "needed" in the future? Does a "flood control dam" include spillways and other related structures that the city's engineers recommend?

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 18, 2004, contd.

3. Additional expenses may be incurred by the parties in accommodating their mutual rights. If the landowner does something to change the character of the land in front of the dam, the change could require changes to the dam.
4. Proposed Land Area – Engineers will report on that in the near future.

City Attorney Uri stated it is his recommendation the City should not accept the drainage easement and to continue negotiations, but to continue with eminent domain.

MAYOR/COMMISSIONER COMMENTS & REPORTS

Commissioner Hosie thanked Mr. Uri for his presentation on the advantages and disadvantages of drainage easement. Recognized the scholars that placed second in the State. Commissioner Hosie asked for a work session with the county commissioners on the law enforcement consolidation, to see what the goals were.

STAFF COMMENTS

Larry Paine, City Manager, stated HB 2805 goes before the committee hearing tomorrow afternoon; a letter could be drafted to the committee. HB 2805 addresses the people voting in the community, governing body, financing, hiring a director, equipment/materials (assets from the city and county), disposal of property.

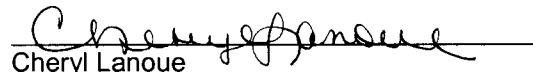
Larry Uri, City Attorney, stated the HB 2805 is a new document.

City Manager Paine stated Senate Bill 494 will be having a hearing on Monday morning.

Mr. Paine advised the commission the Community Development Specialist and the Pool Manager interviews will be happening in the next couple of weeks.

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

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 3, 2004

The governing body met in regular session on March 3, 2004, at 5:30 p.m. in the City Commission Room with Mayor Strecker presiding and the following members being present and participating, to wit: Commissioners Hosie, Baumann, Jindra, and Slaughter.

Absent: None.

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

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

Visitors: Burl Maley, Sharon Coy, Jeff Stricklin, Ron Copple, Brian Strait, Armand Balthazor, Larry Remmenga, Robert L. Steimel, Dave Swenson, Ima Jean Chavey, Beldon Blosser, Ben & Julie Budreau, Brian Kemling, Brian Kindscher, Ron Solt, Troop 895 – Ashley Beaumont, Makayla Baetz, Autumn Walton, Rachel Hasch, Katrina Workman, Kayla Valcoure, Cheven Scott, Marissa Workman, Megan James, Kathryn Koerber, Katie Thompson, Mallory Thompson, Kay Thompson Troop 888 – GERALYN Graver, Rhian Graver, Courtney Lanoue, Joe Hamel, Roberta Lowrey, Janet Eubanks and Kirk Lowell.

Minutes of the February 18, 2004 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 4

APPROVED

Appropriation Ordinance No. 4 was approved according to law.

PROCLAMATION

GIRL SCOUT WEEK

Mayor Strecker read a proclamation and declared the week of March 7 – 13, 2004 as Girl Scout Week.

PUBLIC COMMENTS

Dave Swenson, spoke on behalf of Beldon and Marilyn Blosser, he stated the offer from the Blossers was a donation of drainage easement of approximately 17 acres.

Mr. Swenson stated the site-plan and building plans have been turned into the City.

Mr. Swenson stated the Blossers have changed the offer from an easement to ownership of the ground and the Blossers would obtain a drainage easement for the 17 acres.

Mayor Strecker asked if the property would include Plum Creek Road?

Mr. Swenson stated Mr. Blosser does not have a position on that.

Roberta Lowrey, Chamber of Commerce, stated the Mid-America Auto Center is a good project.

Ima Jean Chavey stated in May of 2000, Mr. Stan Smith sent letters to property owners within the district regarding the TIF district and how the district could take a portion of the tax monies to replace infrastructure. Ms. Chavey stated there were 490 parcels in the district. Ms. Chavey felt the monies should be used for street improvements in the district.

BLOSSER EASEMENT OFFER

TABLED PERMANENTLY

Larry Paine, City Manager, stated the commission could either accept the easement, reject or permanently table the Blosser Easement offer. Commissioner Hosie moved to permanently table the easement offer from the Blossers. Commissioner Jindra seconded. Motion carried.

ORDINANCE NO. 2004-2869

MID-AMERICA AUTO CENTER – TIF PROJECT

APPROVED

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

AN ORDINANCE OF THE CITY OF CONCORDIA, KANSAS ADOPTING A REDEVELOPMENT PROJECT PLAN FOR USE IN CONJUNCTION WITH A PREVIOUSLY ESTABLISHED REDEVELOPMENT DISTRICT, AND MAKING CERTAIN FINDINGS IN CONJUNCTION THEREWITH. (See Exhibit II)

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

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 3, 2004, contd.

Aye: Commissioners Strecker, Hosie, Baumann, Jindra and Slaughter.

Nay: 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. 2004-2869 and was signed and approved by the Mayor and attested by the Clerk.

CRAFCO CRACK SEALING MELTER MACHINE PURCHASE

APPROVED

Ron Copple, Director of Public Works is requesting the approval of the purchase of a Crafcro crack sealing melter machine in the amount of \$23,371.00. This machine will be used to finish the 1st Street project and improving many other streets in the city thereafter. Commissioner Hosie moved to approve the purchase of the Crafcro crack sealing melter machine in the amount of \$23,371.00. Commissioner Baumann seconded. Motion carried.

PROPOSAL FOR
REIMBURSEMENT TO CARES, INC. – DRUG DOG

TABLED

Commissioner Jindra moved to table the proposal for reimbursement to Cares, Inc for the drug dog until March 17, 2004. Commissioner Strecker seconded. Motion carried.

CONCORDIA REVOLVING LOAN
REQUEST FOR PUBLIC HEARING

FUND APPLICANT – KIRK LOWELL

Kirk Lowell, Director of CloudCorp, asked for the City Commission to set a public hearing for March 17th for a revolving loan for Concordia Town and Country. The business would be located at 1516 Lincoln in the general area of the former Wal-Mart business operation. The lease space will be provided by AFK, Properties, LLC. A total of \$450,000 is needed for this project. The City of Concordia Revolving Loan Fund is being requested to provide 100% guaranty on a separate bank loan of \$100,000. Mr. Lowell stated there is some confidential information and the city should not provide any confidential information to the public.

RESOLUTION NO. 2004-1512
ESTABLISH EQUIPMENT FEES

PASSED

Thereupon, there was presented a Resolution entitled:

**THE GOVERNING BODY HAS REVIEWED THE FOLLOWING EQUIPMENT FEES
AND DETERMINED THE PROPOSED PER-HOUR FEES ARE REASONABLE AND
APPROPRIATE CHARGES FOR THE USE OF CITY EQUIPMENT.**

Thereupon, Commissioner Hosie 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 Slaughter, Jindra, Baumann, Hosie and Strecker.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1512 and was signed by the Mayor and attested by the Clerk.

ORDINANCE NO. 2004-2870
AUTHORIZE THE USE OF EMINENT DOMAIN
FOR SOUTH DEVELOPMENT AREA

APPROVED

Commissioner Hosie stated he would like to see the city continue to negotiate with the Blossers.

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

**AN ORDINANCE CONDEMNING LAND FOR THE SKYLINE AREA FLOOD CONTROL
AND DEVELOPMENT PROJECT AND FOR THE PLUM ROAD FLOOD CONTROL
PROJECT; AND DIRECTING THE CITY ATTORNEY TO INSTITUTE EMINENT DOMAIN
PROCEEDINGS AS PROVIDED BY LAW TO ACQUIRE THE TRACTS AND PARCELS
OF LAND DESCRIBED IN THIS ORDINANCE.**

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 3, 2004, contd.

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

Aye: Commissioners Strecker, Hosie, Baumann, Jindra and Slaughter.

Nay: 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. 2004-2870 and was signed and approved by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS & REPORTS

Commissioner Strecker thanked the Blossers and Dave Swenson and also thanked Ben and Julie Budreau for the investment they were making to Concordia. Commissioner Strecker announced all the commission would be at the High School on March 12, 2004 at 10:45 a.m.

Commissioner Jindra thanked Kirk Lowell for the work on the farm store, Roberta Lowrey on the Chamber events over the last weekend and for the 40 plus businesses that will be open on Thursday night.

Commissioner Baumann asked for a clearly defined definition of infrastructure.

Commissioner Hosie asked if a date had been set to meet with the County Commissioners on the Law Enforcement Consolidation issue. Mr. Paine advised Mr. Walsh asked about Wednesday at 3:30 p.m. Mr. Paine advised he would see if Monday the 8th would work after lunch for the County Commissioners.

STAFF COMMENTS

Mr. Paine advised he has filled the Community Development Specialist position with Kathy Nilssen. She will begin on Monday March 8, 2004.

EXECUTIVE SESSION - LAND ACQUISITION

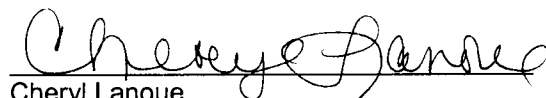
HELD

At this time Commissioner Strecker moved that the commission recess into executive session for thirty (30) minutes to discuss land acquisition. Commissioner Slaughter seconded. Motion carried. Time: 6:58 p.m. Inviting: Larry Paine, Larry Uri and Kirk Lowell.

The commission reconvened at 7:28 p.m.

Mayor Strecker announced that there was no binding action taken.

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


Cheryl Lanoue
City Clerk

(Seal)

ATTACHMENTS

IN

FILE

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 17, 2004

The governing body met in regular session on March 17, 2004, at 5:30 p.m. in the City Commission Room with Mayor Strecker presiding and the following members being present and participating, to wit: Commissioners Hosie, Baumann, Jindra, and Slaughter.

Absent: None.

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

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

Visitors: Burl Maley, Jessica LeDuc, Jeff Stricklin, Ron Copple, Brian Strait, Armand Balthazor, Larry Remmenga, Robert L. Steimel, Ima Jean Chavey, Larry Eubanks, Ron Deal, Brian Kemling, Joe Hamel, Brian Kindscher, Dave Simmons, Bob Burns and Kirk Lowell.

Minutes of the March 3, 2004 regular meeting were approved as written.

Associate Pastor Bob Burns, Wesleyan Church, provided the invocation before the city commission meeting.

APPROPRIATION ORDINANCE NO. 5

APPROVED

Appropriation Ordinance No. 5 was approved according to law.

PUBLIC COMMENTS

Armand Balthazor stated the city commission needs to cut the budget right now and control the spending. Mr. Balthazor stated the assessed values of the homes are up and he is concerned with the people on fixed incomes in the community.

PUBLIC HEARING – REVOLVING LOAN FUND GUARANTY FOR BRIAN AND KIM KINDSCHER, DBA CONCORDIA TOWN & COUNTRY

HELD

APPROVED

Mayor Strecker opened the public hearing for the revolving loan fund application.

Kirk Lowell, CloudCorp, presented the following:

Applicant Eligibility:

- Project located in Concordia or within three miles of City limits.
- Create and/or retain one FTE job for every \$35,000 of CRLF funds.
- Jobs will be created and/or retained within 24 months.
- 51% of total FTE jobs created and/or retained benefit Low to Moderate Income (LMI) qualifying persons.
- Lending institution desires CRLF participation in the project.
- Demonstrate project can be economically viable and sustainable.

CRLF Financing Terms:

- Interest rate no less than 2 ½% below New York prime without written approval by Kansas Department of Commerce.
- CRLF has first position on collateral; however, CRLF security position may be inferior to that of other lenders.
- Moratorium on principal payments limited to 18 months.
- CRLF financing is secured by life insurance.

Applicant and Proposed Business:

- Brian and Kim Kindscher
- Farm & Ranch Retail Store
- Location 1516 Lincoln Street
- Projected to open July 2004

Uses of Funds:

- Total Funds Required - \$450,000
- Fund Usage
 - Inventory - \$275,000
 - Fixtures - \$51,900

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 17, 2004, contd.

- Furniture - \$500
- Equipment - \$34,000
- Leasehold Improvements - \$5,800
- Operating Capital - \$82,000

Sources of Funds:

- Owner's Equity - \$100,000
- Small Business Administration - \$225,000
(contingent on CRLF approval)
- Peoples Exchange Bank - \$25,000
(contingent on CRLF approval)
- CRLF - \$100,000

Financing Structure:

- CRLF Commitment - \$100,000
- Loan Type – Guaranty via Certificate of Deposit placed at participating Bank.
- Term – 7 years and 6 months. Annual automatic renewal for interest rate adjustment.
- Interest – One year fixed interest rate that is annually adjustable and indexed to the Bank's one (1) year Certificate of Deposit rate plus 2.0%(currently 3.61%).
- Payments- 6 months interest only, then principal and interest.
- Collateral – First mortgage in the amount of \$13,000 on Brian and Kindscher's personal residence located at 250 West State Street, Guide Rock, Nebraska and a first mortgage in the amount of \$23,000 on the restaurant building located at 325 University Avenue, Guide Rock, Nebraska and second lien on all business assets of d/b/a Concordia Town & Country, except a third position on inventory.

Conditions of Approval:

- Final authorization – Formal approval by City of Concordia Commission.
- Default – Peoples Exchange Bank is to notify the City of Concordia if borrowers are ever in default on the bank's loan agreement.
- Jobs – Creation of 3.0 Full Time Equivalent jobs in which 51% are Low to Moderate Income.
- Payments – Automated Clearing House loan payments.
- Life Insurance – assignment on the life of Brian Kindscher in the amount of \$100,000.
- Funds Usage – CRLF funds shall not be used for leasehold improvements.
- Guaranty Collateral – CRLF Certificate of Deposit balance will decrease on an annual basis and will remain equal to the loan balance at each renewal.

The CloudCorp Finance Committee is responsible for reviewing the City of Concordia Revolving Loan Fund (CRLF) applications and making related loan recommendations to the City Commission, per resolution number 2001-1389. The committee's mission is to make a good faith and responsible effort to properly leverage, grow and secure the public monies contained in the high risk CRLF while making CRLF recommendations that enhance business growth opportunities in our community.

Mr. Lowell stated the following action is required:

- Consider citizen comments for and/or against CRLF application during remainder of public hearing.
- Close the public hearing.
- Governing body formally approve the Concordia Town & County for \$100,000 CRLF loan guaranty application.

Mayor Strecker asked for public comments.

There were no public comments.

Mayor Strecker closed the public hearing.

Commissioner Jindra moved to approve the loan agreement with Brian and Kim Kindscher, dba Concordia Town & Country. Commissioner Strecker seconded. Motion carried.

REIMBURSEMENT – CARES DRUG DOG

TABLED INDEFINITELY

Commissioner Hosie moved to table reimbursement for CARES drug dog indefinitely. Commissioner Strecker seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 17, 2004, contd.

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 Paine stated that certification was an annual agreement that we have complied with the conditions. Following discussion, Commissioner Hosie moved to authorize the Mayor to sign the Annual Operation and Maintenance Assurance Statement. Commissioner Strecker seconded. Motion carried.

RESOLUTION NO. 2004-1513 - 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 ACCEPTED ACCOUNTING PRINCIPLES.

Thereupon, Commissioner Jindra moved that said Resolution be adopted. The motion was seconded by Commissioner Slaughter. 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 Strecker, Baumann, Jindra, Hosie and Slaughter.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2004-1513 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1514 –
AGREEMENT KLINK PROJECT
BROADWAY-5TH TO 6TH &
6TH STREET-BROADWAY TO LINCOLN**

APPROVED

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, Commissioner Strecker moved that said Resolution be adopted. The motion was seconded by Commissioner Jindra. 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 Strecker, Baumann, Jindra, Hosie and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1514 and was signed by the Mayor and attested by the Clerk.

**ORDINANCE NO. 2004-2871 –
ALLEY VACATION- 3RD STREET**

APPROVED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE PURSUANT TO K.S.A. 12-504 AND 12-505, AS AMENDED, VACATING THE ALLEY IN BLOCK 168 AND THE SOUTH TWENTY (20) FEET OF 3RD STREET ADJOINING BLOCK 168 IN THE CITY OF CONCORDIA, KANSAS.

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

Aye: Commissioners Strecker, Baumann, Jindra, Hosie and Slaughter.

Nay: None.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 17, 2004, contd.

Thereupon, the Ordinance having been adopted by vote of the members of the City Commission it was given No. 2004-2871, and was directed to be signed by the Mayor and attested by the City Clerk.

MAYOR/COMMISSIONER COMMENTS & REPORTS

Commissioner Hosie welcomed Brian Kindscher and Dave Simmons to Concordia.

Commissioner Baumann applauded Armand Balthazor for his public comments, but suggested that if he had questions that he should talk to Larry Paine.

STAFF COMMENTS

City Manager Paine advised the city commission the city would possibly receive an FAA Grant for the airport runway.

Jeff Stricklin advised the commission the city has purchased eight (8) radio devices to be placed at the following locations:

City Hall
CCCC
USD #333
Hospital
Cloud County Courthouse
Marquis Place
Sunset Nursing Home
Mount Joseph Senior Village

EXECUTIVE SESSION - LAND ACQUISITION

HELD


At this time Commissioner Strecker moved that the commission recess into executive session for thirty (30) minutes to discuss land acquisition. Commissioner Baumann seconded. Motion carried. Time: 6:26 p.m. Inviting: Larry Uri and Larry Paine.

The commission reconvened at 6:56 p.m.

Mayor Strecker announced that there was no binding action taken.

Mayor Strecker announced a study session would follow the meeting.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE SPECIAL CALL COMMISSION MEETING HELD MARCH 24, 2004

The governing body met in special call session on March 24, 2004 at 5:30 p.m., in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioner Strecker, Baumann, Slaughter, Jindra, and Hosie.

Absent: None.

Other Officers: City Manager Paine and City Clerk Lanoue.

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

Visitors: Eric Johnson, Jessica LeDuc, Delmar Harris, Ruth Harris, Eleanor Switzer, Wayne Switzer, Burl Maley, Armand Balthazor, Verna Ferguson, Ken Johnson, Don Dean, Isadore Bombardier, Emmet Rudolph, Sharon Applebee, Steve Dailey, Ron Deal, Kirk Lowell, Jon Hamel, Larry Hamel, Kenny Allen, Judy Utt, Ben Retter, Susan Retter, Suzi Tuggle, Mark Paul, John States, Bob Ballard, Roy Reif, and Larry Eubanks.

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

TO THE BOARD OF CITY COMMISSIONERS:

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

Place: City Commission Room, City Hall, Concordia, Kansas
Date: March 24, 2004
Time: 5:30 o'clock p.m.

The object of said meeting will be as follows:

- 1. Call to order
- 2. Resolution – Authorizing City Manager to sign contract for sale of real estate.
- 3. Adjournment

JOSEPH STRECKER
MAYOR

BOB BAUMANN
COMMISSIONER

ART SLAUGHTER
COMMISSIONER

JOE JINDRA
COMMISSIONER

DARREL HOSIE
COMMISSIONER

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

TO: Joseph Strecker, Bob Baumann, Art Slaughter, Joe Jindra, and Darrel Hosie:

You are hereby notified that there will be a special meeting of the Board of Commissioners at 5:30 o'clock p.m. on the 24th day of March, 2004, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

PLACE: City Commission Room, City Hall
DATE: March 24, 2004
TIME: 5:30 o'clock p.m.

The object of said meeting will be as follows:

- 1. Call to Order.
- 2. Resolution – Authorizing City Manager to sign contract for sale of real estate.
- 3. Adjournment.

MINUTES OF THE SPECIAL CALL COMMISSION MEETING HELD MARCH 24, 2004, contd.

(Seal)

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

You are hereby directed to serve the above notice at once personally upon Commissioner (s) Joseph Strecker, Bob Baumann, Art Slaughter, Joe Jindra, and Darrel Hosie or leave said notice at the usual place of residence of said Commissioner before 3:00 p.m. o'clock on the 22nd day of March, 2004, and to make a return in writing of said service, showing the manner of such service.

Cheryl Lanoue
City Clerk

(Seal)

RETURN OF SERVICE

The undersigned received the original notice of Special City Commission meeting of which the foregoing is a copy at, 12:21 o'clock p.m., March 22, 2004 (Joseph Strecker); 12:12 o'clock p.m., March 22, 2004 (Bob Baumann); 1:06 o'clock p.m. on March 22, 2004 (Art Slaughter); 1:11 o'clock p.m. on March 22, 2004 (Joe Jindra); and 1:12 o'clock p.m. on March 22, 2004 (Darrel Hosie).

1. Served the same personally on Joseph Strecker. /s/ Cheryl Lanoue.
2. Served the same personally on Bob Baumann. /s/ Cheryl Lanoue.
3. Served the same personally on Art Slaughter. /s/ Cheryl Lanoue.
4. Served the same personally on Joe Jindra. /s/ Cheryl Lanoue.
5. Served the same personally on Darrel Hosie. /s/ Cheryl Lanoue.

RESOLUTION NO. 2004-1515
AUTHORIZE CITY MANAGER TO
SIGN REAL ESTATE CONTRACT

PASSED

The City of Concordia and Beldon and Marilyn Blosser have agreed to terms for the sale of certain real estate of the Blossers' to the City. The City Manager is hereby authorized and directed to enter into the attached real estate contract on behalf of the City and to do all things necessary or appropriate to complete the transaction.

Thereupon, there was presented a Resolution:

A RESOLUTION AUTHORIZING CITY MANAGER TO ENTER INTO A REAL ESTATE CONTRACT ON BEHALF OF THE CITY.

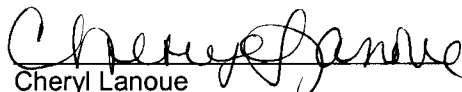
Thereupon, Commissioner Jindra moved that said Resolution be adopted. The motion was seconded by Commissioner Baumann. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, being as follows:

Yea: Commissioners Strecker, Baumann, Jindra, Hosie and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1515 and was signed by the Mayor and attested by the Clerk.

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


Cheryl Lanoue
City Clerk

(Seal)

CONTRACT FOR SALE OF REAL ESTATE

AGREEMENT made effective as of March 31, 2004, between Beldon Blosser and Marilyn Blosser, husband and wife, as Sellers, and the City of Concordia, Kansas, a municipal corporation, as Purchaser.

1. Sale. In consideration of Purchaser's covenants and agreements as set forth in this contract, Sellers agree to sell to Purchaser the real property described as follows:

Skyline II Redevelopment Project

(a) Tract One: North of College Drive

The Fee Simple interest in a tract of land in Block "B" and Block "C" of Blosser's 2nd Addition and in the South One-half (S ½) of the Southwest Quarter (SW ¼) of Section Four (4) and the Northwest Quarter (NW ¼) of Section Nine (9), Township Six (6) South, Range Three (3) West of the 6th Principal Meridian in the City of Concordia, Cloud County, Kansas more particularly described as follows:

Commencing at the Northeast corner of the South One-half (S ½) of the Southwest Quarter (SW ¼) of Section 4-6-3; thence North 89 Degrees 20 Minutes 02 Seconds West along the North line of said (S ½) (SW ¼) of Section 4-6-3, this line being the basis of bearing for this description, 207.55 feet to the POINT OF BEGINNING; thence South 00 Degrees 07 Minutes 58 Seconds West for a distance of 230.00 feet; thence South 89 Degrees 20 Minutes 02 Seconds East for a distance of 160.00 feet; thence South 00 Degrees 07 Minutes 58 Seconds West for a distance of 80.00 feet; thence North 89 Degrees 20 Minutes 02 Seconds West for a distance of 140.00 feet; thence South 00 Degrees 07 Minutes 58 Seconds West for a distance of 912.00 feet; thence South 89 Degrees 20 Minutes 02 Seconds East for a distance of 140.00 feet; thence South 00 Degrees 07 Minutes 15 Seconds West for a distance of 270.44 feet; thence South 24 Degrees 53 Minutes 24 Seconds West for a distance of 132.18 feet; thence South 00 Degrees 06 Minutes 53 Seconds West for a distance of 400.00 feet; thence South 23 Degrees 44 Minutes 48 Seconds West for a distance of 16.95 feet; thence North 89 Degrees 55 Minutes 00 Seconds West for a distance of 75.82 feet; thence with a curve turning to the right with an arc length of 335.79 feet, with a radius of 310.00 feet, with a chord bearing of North 58 Degrees 53 Minutes 10 Seconds West, with a chord length of 319.62 feet; thence North 27 Degrees 51 Minutes 16 Seconds West for a distance of 396.04 feet; thence with a curve turning to the left with an arc length of 331.25 feet, with a radius of 490.00 feet, with a chord bearing of North 47 Degrees 13 Minutes 15 Seconds West, with a chord length of 324.98 feet, thence North 70 Degrees 35 Minutes 44 Seconds West for a distance of 80.42 feet; thence with a curve turning to the right with an

arc length of 174.72 feet, with a radius of 310.00 feet, with a chord bearing of North 52 Degrees 35 Minutes 25 Seconds West, with a chord length of 172.42 feet, thence North 36 Degrees 26 Minutes 39 Seconds West for a distance of 75.22 feet; thence North 18 Degrees 40 Minutes 52 Seconds East for a distance of 639.02 feet; thence North 88 Degrees 51 Minutes 58 Seconds West for a distance of 69.50 feet; thence North 00 Degrees 08 Minutes 02 Seconds West for a distance of 210.31 feet; thence South 88 Degrees 51 Minutes 58 Seconds East for a distance of 222.53 feet; thence North 00 Degrees 08 Minutes 02 Seconds West for a distance of 80.00 feet; thence North 88 Degrees 51 Minutes 58 Seconds West for a distance of 71.51 feet; thence North 00 Degrees 00 Minutes 46 Seconds East for a distance of 205.23 feet; thence South 89 Degrees 20 Minutes 02 Seconds East for a distance of 70.97 feet; thence North 00 Degrees 08 Minutes 02 Seconds West for a distance of 10.00 feet to the North line of said (S ½) (SW ¼) of Section 4-6-3; thence South 89 Degrees 20 Minutes 02 Seconds East for a distance of 580.71 feet to the Point of Beginning, having an area of 1,417,448.38 square feet, 32.540 acres.

(This description includes platted Lot 2 of Block "C" and Lot 2 of Block "B" in Blosser's 2nd Addition to the City of Concordia, Cloud County, Kansas)

and

(b.) Tract Two: Near College Drive and Highway 81 Intersection

The Fee Simple interest in a tract of land in the Northwest Quarter (NW ¼) of Section Nine (9), Township Six (6) South, Range Three (3) West of the 6th Principal Meridian in the City of Concordia, Cloud County, Kansas, more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter (NW ¼) of Section 9-6-3; thence South 10 Degrees 21 Minutes 18 Seconds West for a distance of 790.63 feet to the intersection of the south right of way line of College Drive and the west right of way line of U.S. Highway 81 and the Point of Beginning; thence South 01 Degrees 04 Minutes 03 Seconds East along the west right of way line of the highway for a distance of 85.52 feet; thence North 49 Degrees 45 Minutes 01 Seconds West for a distance of 138.96 feet; thence with a curve turning to the left with an arc length of 56.80 feet, with a radius of 390.00 feet, with a chord bearing of South 85 Degrees 44 Minutes 39 Seconds East, with a chord length of 56.75 feet, thence South 89 Degrees 55 Minutes 00 Seconds East for a distance of 47.87 feet to the Point of Beginning. Containing an area of 4,331 square feet or 0.10 acres, more or less.

and

(c) Tract Three: South of College Drive at Drainage Area Northwest of Wal Mart

The Fee Simple interest in a tract of land in the Northwest Quarter (NW ¼) of Section Nine (9), Township Six (6) South, Range Three (3) West of the 6th Principal Meridian in the City of Concordia, Cloud County, Kansas, more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter (NW ¼) of section 9-6-3; thence South 81 Degrees 24 Minutes 08 Seconds West for a distance of 802.33 feet to the Point of Beginning; thence South 40 Degrees 30 Minutes 07 Seconds West for a distance of 161.24 feet; thence North 18 Degrees 40 Minutes 52 Seconds East for a distance of 67.08 feet; thence North 39 Degrees 36 Minutes 33 Seconds East for a distance of 100.07 feet; thence with a curve turning to the right with an arc length of 26.52 feet, with a radius of 410.00 feet, with a chord bearing of South 47 Degrees 08 Minutes 25 Seconds East, with a chord length of 26.51 feet, to the Point of Beginning. Containing an area of 3,354 square feet or 0.08 acres, more or less.

and

Plum Road Flood Control Project

The Fee Simple interest in a tract of land in the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Nine (9), Township Six (6) South, Range Three (3) West of the 6th Principal Meridian in Cloud County, Kansas, more fully described as follows:

Commencing at the Southwest corner of the Southwest Quarter (SW ¼) of section 9-6-3; thence South 89 Degrees 41 Minutes 51 Seconds East along the south line of the SW ¼ for a distance of 1446.30 feet to the Point of Beginning; thence North 01 Degrees 53 Minutes 11 Seconds East for a distance of 25.01 feet to Plum Road's north right of way line; thence continuing North 01 Degrees 53 Minutes 11 Seconds East for a distance of 325.12 feet; thence South 89 Degrees 41 Minutes 51 Seconds East parallel with the south line of the SW ¼ for a distance of 944.31 feet to the west right of way line of U.S. Highway 81; thence South 01 Degrees 41 Minutes 24 Seconds East along said Highway right of way line for a distance of 145.30 feet; thence South 00 Degrees 07 Minutes 08 Seconds West along Highway right of way line for a distance of 105.00 feet; thence North 89 Degrees 40 Minutes 01 Seconds West for a distance of 389.68 feet; thence South 00 Degrees 18 Minutes 09 Seconds West for a distance of 100.00 feet to the south line of the SW ¼ of Section 9-6-3; thence North 89 Degrees 41 Minutes 51 Seconds West for a distance of 569.69 feet; to the Point of Beginning. Containing an area of 294,726 square feet or 6.77 acres, including 0.33 acres of Plum Road Right of Way.

Subject to reservations, restrictions, and easements of record.

2. Purchase Price. Purchaser agrees to buy said property for the sum of five hundred thousand dollars (\$500,000.00), payable in full on date of closing.

3. Title Insurance. On or before April 30, 2004, Sellers will deliver to Purchaser a commitment for an owner's policy of title insurance, insuring Purchaser to the full amount of the purchase price against loss or damage by reason of defect in the title of Sellers in the above-described real estate or by reason of prior liens and encumbrances not assumed by Purchaser under this contract.

4. Deed. Upon closing of this contract, Sellers will execute a good and sufficient warranty deed to said property in the name of Purchaser and deliver the deed to the Purchaser.

5. Closing. Closing of this contract shall take place on or before April 30, 2004.

6. Possession. Purchaser will have possession of the property upon closing.

7. Personal Property. No personal property of any type or description is conveyed by this agreement:

8. Condition of Premises. Purchaser accepts the property in "as is" condition..

9. Expenses. The expenses of this transaction shall be paid as follows:

(a) Sellers will pay all real property taxes accruing to date of closing. Purchaser will pay all real property taxes accruing from and after date of closing.

(b) Purchasers will pay for the drawing of this contract and the deed and for the recording of the deed.

(c) The parties will share equally the cost of title insurance specified in paragraph 3.

10. Special Assessments, Fees and Improvement Districts. The above-described real estate is not subject to any special assessments or fees. The above-described real estate is located within Concordia Redevelopment District 2000, a tax increment financing district.

11. Default. Time is of the essence of this contract. Should either party fail, neglect or refuse to perform any of their obligations under this contract, the other party may, at their election, (1) declare this contract breached and forfeited, or (2) bring an action for specific performance of this contract, or (3) pursue any other legal remedy. In the event of litigation, the prevailing party shall also be entitled to collect from the opposing party reasonable attorney's fees and expenses incurred in pursuing any remedy, to the extent allowed by law.

12. Assignment. No assignment of any interest in this contract will be effective without the written consent of all parties.

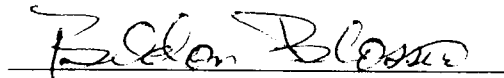
13. Time of the Essence. The parties agree that time is of the essence of this contract.

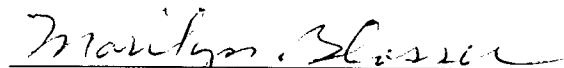
14. Representation. Lawrence R. Uri, Jr., attorney at law, represents Purchaser with respect to this transaction. David D. Swenson, attorney at law, represents Sellers.

15. Binding Effect. This contract may become effective and binding upon the parties and their respective heirs, administrators, executors, successors and assigns if, and only if, this contract is executed by Sellers and delivered to city hall not later than 5:00 o'clock p.m. on March 31, 2004. Failure of Sellers to deliver the executed contract by that date and time shall terminate the offer of Purchaser as set forth herein. Upon receipt of this contract executed by Sellers, the governing body of the Purchaser shall by resolution approve this contract and authorize execution of it by the City Manger. Failure of the city to approve and execute this contract by 5:00 o'clock p.m. on April 9, 2004 shall release Sellers from any obligation, and this contract shall be void and of no further effect.


16. Fence Replacement. Purchaser shall relocate and install fence on the new property line adjacent to the above-described Plum Road Flood Control project at its expense.

IN WITNESS WHEREOF the parties have executed this contract on the day and year first above written.


Beldon Blosser - Seller


Marilyn Blosser - Seller

THE CITY OF CONCORDIA, KANSAS
- Purchaser

By 
Lawrence R. Paine
City Manager

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 7, 2004

The governing body met in regular session on April 7, 2004, at 5:30 p.m. in the City Commission Room with Mayor Strecker presiding and the following members being present and participating, to wit: Commissioners Hosie, Baumann, Jindra, and Slaughter.

Absent: None.

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

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

Visitors: Burl Maley, Jessica LeDuc, Jeff Stricklin, Ron Copple, Brian Strait, Larry Remmenga, Isadore Bombardier, Ambria Menard, Nancy Menard, Linsa Tahiri, Krystal Cyr, Tim Harlan and Scott Cote.

Minutes of the March 17, 2004 regular meeting and March 24, 2004 special call meeting were approved as written.

Pastor Tim Harlan, First United Methodist Church, provided the invocation before the city commission meeting.

APPROPRIATION ORDINANCE NO. 6 APPROVED

Appropriation Ordinance No. 6 was approved according to law.

PROCLAMATION – ARBOR DAY

Mayor Strecker read and declared April 30, 2004 as Arbor Day.

PROCLAMATION – WEEK OF YOUNG CHILD

Mayor Strecker read and declared the week of April 18-24, 2004 as the Week of Young Child.

APPOINTMENT LIBRARY BOARD MAX REEVES

City Manager Paine advised the commission that the Library contacted the city and advised that the term of Max Reeves on the Library Board will expire on April 30, 2004. Max Reeves has been contacted and indicated an interest and willingness to serve on the Library Board. Commissioner Jindra moved to appoint Max Reeves to a four (4) year term on the Library Board (May 1, 2004 through April 30, 2008). Commissioner Slaughter seconded. Motion carried.

PUBLIC COMMENTS

Izzy Bombardier stated he was in favor of the purchasing of the South Development and it would benefit the City.

POLICE DEPARTMENT –COPY MACHINE LEASE

Burl Maley, Chief of Police, stated the 2004 budget provides for purchase of a new copier. At the March 17th Study Session the following information was presented:

<u>Vendor</u>	<u>Brand</u>	<u>Term</u>	<u>Price</u>
IKON	Ricoh Aficio	48 month lease	\$369 per month
Image Quest	Savin	63 month lease	\$370 per month

Image Quest contacted Mr. Maley and advised the lease could be \$330 per month with a copier they just received.

Commissioner Strecker moved to authorize the City Manager to sign a copy lease with Image Quest for \$330 per month. Commissioner Hosie seconded. Motion carried.

RESOLUTION NO. 2004-1516 -
REVOLVING LOAN FUND – CONCORDIA TOWN & COUNTRY PASSED

Thereupon, there was presented a Resolution entitled:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 7, 2004, contd.

THE GOVERNING BODY, AFTER PUBLIC HEARING, HAS APPROVED THE APPLICATION FOR A LOAN FROM THE CONCORDIA REVOLVING LOAN FUND TO BRIAN KINDSCHER AND KIM KINDSCHER, DBA CONCORDIA TOWN & COUNTRY;

Thereupon, Commissioner Hosie moved that said Resolution be adopted. The motion was seconded by Commissioner Jindra. 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 Slaughter, Jindra, Baumann, Hosie and Strecker.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1516 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2004-1517

AUTHORIZE TEMPORARY FINANCING

PASSED

Thereupon, there was presented a Resolution entitled:

A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF \$600,000 PRINCIPAL AMOUNT OF TEMPORARY NOTES, SERIES 2004-1, 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 Jindra 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 Strecker, Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1517 and was signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS & REPORTS

Mayor Strecker welcomed the Government class.

STAFF COMMENTS

Jeff Stricklin stated April 13th would be Operation Prom Night at the High School. Mr. Stricklin stated there are several businesses helping with this; Concordia Police Department, Cloud County Community College, USD #333, Auto Outlet, Harold Crane, Chaput Buoy Funeral Home and Nutter Mortuary.

EXECUTIVE SESSION - ATTORNEY/CLIENT PRIVILEGES

HELD

At this time Commissioner Strecker moved that the commission recess into executive session for thirty (30) minutes to discuss attorney/client privileges. Commissioner Jindra seconded. Motion carried. Time: 6:53 p.m. Inviting: Larry Uri and Larry Paine.

The commission reconvened at 6:22 p.m.

Mayor Strecker announced the commission had been discussing the South Development petition and asked if Mr. Uri would update the public.

Larry Uri, City Attorney, stated there was a petition with reference to the issuance of full faith and credit tax increment bonds. Mr. Uri stated he has reviewed the petition, studied the statutes and Attorney General Opinions and he had discussed the issue with the County Clerk and it is his opinion the petition is invalid because the petition does not state a question. Mr. Uri stated the commission would have to


MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 7, 2004, contd.

authorize the city manager and city attorney to proceed with court action to set aside the petition within 20 days from the filing date. If the commission did not authorize them to proceed with court action the statement would be presented on a ballot, which could mislead the public.

Commissioner Baumann moved to authorize the City Manager and City Attorney to proceed with court action to set aside the petition concerning the Skyline II Redevelopment Project. Commissioner Slaughter seconded. Motion carried.

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

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 21, 2004

The governing body met in regular session on April 21, 2004, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Strecker presiding and the following members present: Commissioners Baumann, Jindra, Hosie and Slaughter.

Absent: None.

Other Officers: City Attorney Uri and City Clerk Lanoue.

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

Pastor Tim Harlan provided the invocation before the city commission meeting.

Visitors: Armand Balthazor, Jeff Stricklin, Burl Maley, Larry Remmenga, Jessica LeDuc, Brian Strait, Ron Copple, Kirk Lowell, Laurine Slaughter, Maria Jindra, Margo Hosie, Jennifer Rozean, Isadore Bombardier and Jana Strecker.

Minutes of the April 7, 2004 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 2004 was \$8,642.85 compared to \$13,515.21. Commissioner Strecker moved to place on file the first quarter investment report. Commissioner Hosie seconded. Motion carried.

PROCLAMATION – COMMUNITY CLEAN-UP WEEK

Mayor Strecker read and declared the week of May 17-21, 2004 as community clean-up week.

PUBLIC COMMENTS

Armand Balthazor stated he felt that some of his rights have been taken away, by not being able to vote on the petition issue.

Kirk Lowell, thanked the commission for the work done at NCK Carpet and the parking lot at 6th & Lincoln.

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 6, 2004, to be as follows:

For City Commissioner:

Joe Jindra	402
Joe Strecker	388
Melvin "Bud" Kennedy	92
Gregory L. Hattan	10
Armand Balthazor	6
Ima Jean Chavey	6
Robert E. Burns	5
Jack Gould	3
Travis Jordan	2

Faith Nyswonder, Verna Ferguson, Jim Currier, Jackie Barton and Eldon Wisdom – One each

Following the reading of the election results from the County Clerk, Commissioner Baumann moved to declare Joe Strecker and Joe Jindra be elected to the Office of City Commissioner for three (3) year terms. Commissioner Slaughter seconded. Motion carried.

OATH OF OFFICE

City Ordinance prescribes that elected officials take the Oath of Office before entering into the duties of his/her office. City Clerk Lanoue administered the Oath of Office to Joe Strecker and Joe Jindra for three (3) year terms.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 21, 2004, contd.

ANNUAL COMMISSION REORGANIZATION

City Ordinance requires the Commission 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 Slaughter moved that Commissioner Hosie be elected to serve as Mayor for the ensuing year. Commissioner Baumann seconded. Motion carried.

ELECTION OF MAYOR PRO TEM OF THE BOARD

Commissioner Hosie moved to appoint Commissioner Jindra to be Mayor Pro Tem of the Board. Commissioner Slaughter seconded. Motion carried.

PRESENTATION OF PLAQUE

Mayor Hosie presented Commissioner Strecker a plaque for the last year as Mayor and thanked him for the last six (6) years that he served on the City Commission, of which he served three (3) years as Mayor. Mayor Hosie also thanked Commissioner Jindra for the three (3) years he served on the City Commission.

PUBLIC HEARING – KDOT FIVE (5) YEAR PLAN

HELD

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

Ron Copple advised the commission of the projects on the list with first priority being as follows:

Intersection of US-81 (Lincoln St.) & K-9 (6th Street)
(Tentative Letting June 2005)
11th Street, Lincoln to Willow
11th Street, Willow to West City Limits
18th Street, Lincoln West to State
18th Street & State South to Campus Dr. & Republican
Cedar Street, 7th St. to 11th St.

Mayor Hosie asked for any public comments.

Armand Balthazor asked if this would fund water and sewer lines. Ron, stated they might have to be relocated, but the funding would come from the utility fund.

Mayor Hosie closed the public hearing on the five (5) year KDOT Plan.

RESOLUTION NO. 2004-1518- ADOPT FIVE-YEAR KDOT PLAN

APPROVED

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

A RESOLUTION BY THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS HAS REVIEWED AND APPROVED THE FIVE YEAR PLAN PROPOSED BY THE DIRECTOR OF STREETS OF THE DEPARTMENT OF PUBLIC WORKS OF THE CITY, AND HAS DETERMINED THAT THE PLAN SHOULD BE APPROVED.

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

Aye: Commissioners Strecker, Baumann, Jindra, Hosie and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2004-1518 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2004-1519-707 E. 7TH

APPROVED

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

THE CITY CLERK IS AUTHORIZED TO WITHDRAW THE REQUEST OF THE CITY THAT THE ABOVE-DESCRIBED ASSESSMENT BE LEVIED AS A SPECIAL TAX AGAINST THE REAL ESTATE DESCRIBED ABOVE.

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

Aye: Commissioners Strecker, Baumann, Jindra, Hosie and Slaughter.

Nay: None

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 21, 2004, contd.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2004-1519 and was signed by the Mayor and attested by the Clerk.

BID AWARD – STREET SWEEPER

SELLERS EQUIPMENT

Ron Copple advised the commission the city only received one bid for the street sweeper, as follows:

<u>BIDDER</u>	<u>PRICE</u>
Sellers Equipment	\$110,405.00

Following discussion, Commissioner Jindra moved to accept the bid from Sellers Equipment in the amount of \$110,405.00 for the street sweeper. Commissioner Slaughter seconded. Motion carried.

BID AWARD – MOWER

HUSTLER TURF EQUIPMENT

Ron Copple advised the commission the city only received one bid for a new mower, as follows:

<u>BIDDER</u>	<u>PRICE</u>
Hustler Turf Equipment	\$15,999.00

Following discussion, Commissioner Strecker moved to accept the bid from Hustler Turf Equipment in the amount of \$15,999.00 for the new mower. Commissioner Jindra seconded. Motion carried.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Baumann thanked the Fire, Police Department, EMTs, and the college students for the Pre-Prom event. They all did a great job.

Commissioner Slaughter said the downtown is looking nice.

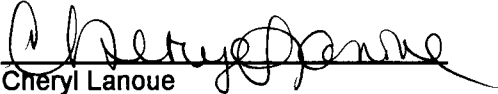
Commissioner Strecker thanked all the people that voted and said it was an honor to serve as the Mayor and/or Commissioner the last six (6) years.

Commissioner Hosie asked if the Recreational Specialist could attend the next few meetings.

STAFF COMMENTS

Larry Remmenga, Director of Utilities, stated the camera/sewer cleaner will be delivered tomorrow.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 19, 2004

The governing body met in regular session on May 19, 2004, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Hosie presiding and the following members present: Commissioners Baumann, Jindra, Strecker and Slaughter.

Absent: None.

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

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

Paster Gay Robertson provided the invocation before the city commission meeting.

Visitors: Armand Balthazor, Burl Maley, Larry Remmenga, Jessica LeDuc, Dallas Nading, Ron Copple, Rev. Gay Robertson, Martha Soucek and Kirk Lowell.

Minutes of the May 5th, 2004 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 9

APPROVED

Appropriation Ordinance No. 9 was approved according to law.

PROCLAMATION - MENTAL HEALTH MONTH

Mayor Hosie read the proclamation and the commission declared May as Mental Health Month.

APPOINTMENT - BOARD OF BUILDING TRADES

JOHN HOOD
DENNIS FLEMING

City Manager Paine advised the commission that John Hood and Dennis Fleming's terms on the Board of Building Trade expires on May 31, 2004. The city advertised for interest from the public. Mr. Hood and Mr. Fleming had been contacted and are willing to serve another three (3) year term. Commissioner Baumann moved to reappoint John Hood and Dennis Fleming to a three- (3) year term on the Board of Building Trades (6-1-04 through 5-31-07). Commissioner Strecker seconded. Motion carried.

PUBLIC COMMENTS

Armand Balthazor asked the commission to go out and look at the dam, since we have had rain. Mr. Balthazor also asked why the city paid someone for an estimate on the value of the land and did not use it? Balthazor stated the college is talking about building a convention center. Mr. Balthazor felt the community could not afford both.

Kirk Lowell, Cloudcorp, stated he was before the commission requesting to be placed on the agenda for the June 2, 2004 meeting to request supplement income in the amount of \$5,000 for economic development. Mr. Lowell stated the \$5,000 request would be to the City and the County to fund Phase I.

Commissioner Strecker moved to placed Cloudcorp discussion of economic development on the June 2, 2004 meeting. Commissioner Slaughter seconded. Motion carried.

Commissioner Baumann asked if there was a performance clause and why California for Economic Development prospects? Mr. Lowell stated there was no performance clause in Phase I or II, but in Phase III there is. California was chosen because they are wanting to move to the Mid-West.

DONATION REQUEST JULY 4TH FIREWORKS DISPLAY

APPROVED

City Manager Larry Paine, advised the commission the fireworks committee would like the city to donate \$500 towards the project. Commissioner Strecker moved to approve the issuance of a check for \$500 to the Fireworks Committee. Commissioner Jindra seconded. Motion carried.

AUTHORIZATION FOR ENGINEERING QUALIFICATION – AIRPORT

APPROVED

Larry Paine, City Manager, advised the commission the city was awarded a grant on the airport. Mr. Paine stated he will be trying to reconstitute the Airport Advisory Board since there needs to be a panel to review the proposals. Commissioner Jindra moved to authorize the city manager to solicit for RFQ on the airport. Commissioner Baumann seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 19, 2004 cont'd**SLUDGE TRANSFER PUMP****APPROVED**

Larry Remmenga, Director of Utilities, advised the commission the pump that was purchased in 1987 has stopped. The cost would be approximately \$12,000 to \$15,000 paid out of the wastewater operating budget. Commissioner Strecker moved to approve the soliciting of bids on the pump for the Wastewater Treatment Plant. Commissioner Baumann seconded. Motion carried.

ORDINANCE NO. 2004-2872**PASSED**

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF CONCORDIA, KANSAS; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

Thereupon, Commissioner Jindra moved that said Ordinance be adopted. The motion was seconded by Commissioner Slaughter. 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 City Commission, being as follows:

Aye: Commissioners Strecker, Hosie, Baumann, Jindra and Slaughter

Nay: None

Thereupon, the Mayor declared said Ordinance duly adopted and the Resolution was then numbered Resolution No. 2004-2872 and was signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Slaughter stated the pool was looking nice with the shade.

Commissioner Strecker commented about 6th & Willow tall grass.

Commissioner Hosie responded to Mr. Balthazor's questions on the appraisal, yes the appraisal was used and offers were made from the appraisal and offers were not accepted. After, consideration the commission decided to offer the \$500,000.

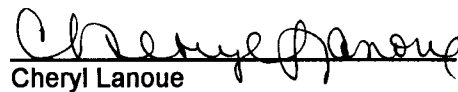
Commissioner Hosie stated Mr. Hill's has terminated his contract on the airport and wish to thank him.

STAFF COMMENTS

City Manager Paine advised the COR of Engineering will be here the 1st week in June and are interested in the Dam Project.

Commissioner Hosie stated the study session was cancelled until after the June 2, 2004 meeting.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 2, 2004

The governing body met in regular session on June 2, 2004, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Hosie presiding and the following members present: Commissioners Baumann, Jindra and Slaughter.

Absent: Commissioner Strecker.

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

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

Visitors: Armand Balthazor, Jeff Stricklin, Burl Maley, Larry Remmenga, Jessica LeDuc, Brian Strait, Ron Copple, Kirk Lowell, Jack Gould, Kyle Steinert, Weston Fleming, Jim Stromberg, Dalton Stromberg, Naomi Davis, Bruno Rehbein, Doug Glenn, Ron Deal, and Don Dean.

Minutes of the May 19, 2004 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 10

APPROVED

Appropriation Ordinance No. 10 was approved according to law.

PUBLIC COMMENTS

Armand Balthazor asked the commission if the city owned the land where the airport is located. He felt that we should own the land before we start making improvements. Mr. Balthazor asked if we were able to receive any federal assistance for improvements if we did not own the land.

Another concern Armand had was the new tornado sirens that were installed. He said several people had talked to him about the sirens because they could not hear them. He felt like we should not have removed the old ones but added the new ones and kept the old ones as well to get better coverage.

Armand also felt there should be a public meeting with the Corp of Engineers to get public input and ask questions in regard to the flood retention project.

Mayor Hosie said that these questions would be answered later in the Mayor/Commissioner comments part of the meeting by the city staff.

Jack Gould addressed the commission about his concern of conflict of interest for commissioners being involved with CloudCorp.

Kirk Lowell stated that they had checked into this and there was no conflict of interest. By having members of the city or county commission on the board it gave those people the chance to make sure the peoples money is being spent well and the organization run efficiently. If there is still doubt about this conflict of interest, legal counsel could be hired to investigate it.

SENIOR PROJECT – 2ND STREET PARK SHELTER KYLE STEINERT/WESTON FLEMING

The city commission gave approval for the Second Street shelter project to be started as soon as the students get financing.

ACCEPTANCE OF 2003 AUDIT

Mr. Doug Glenn, Mayer, Hoffman, McCann, PC, reviewed the 2003 audit, noting the budgeted and unbudgeted funds. Mr. Glenn noted that the city had a clean audit. Following discussion, Commissioner Baumann moved to accept the 2003 audit. Commissioner Hosie seconded. Motion carried.

CLOUDCORP – ECONOMIC DEVELOPMENT

Kirk Lowell, Director of CloudCorp, presented to the commission a proposal for funding a three phase program to recruit commercial and industrial business to the Cloud County area. CloudCorp is requesting \$5,000 to help fund Phase I of this program from the City. Commissioner Jindra moved to grant funding in the amount of \$5,000.00 for business recruitment. Commissioner Slaughter seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 2, 2004, contd.

BID AWARD - SLUDGE PUMP - FOR
WASTEWATER TREATMENT PLANT

ENVIRONMENTAL PROCESS SYSTEMS

Larry Remmenga, Director of Utilities, advised the commission the utilities department solicited bids for a waste sludge pump for use at the wastewater treatment facility. The city received two replies, as follows:

<u>BIDDER</u>	<u>PRICE</u>
Fluid Equipment Company (add-on mechanical seals)	\$13,400.00 <u>1,880.00</u> \$15,280.00
Environmental Process Systems (includes mechanical seals)	\$12,690.00

Following discussion, Commissioner Baumann moved to accept the bid from Environmental Process Systems of Lenexa, Kansas in the amount of \$12,690.00. Commissioner Slaughter seconded. Motion carried.

APPROVAL OF 11TH STREET (LINCOLN TO
REPUBLICAN) WATERLINE PROJECT

Larry Remmenga, Director of Utilities, informed the commission several months ago at a study session the capital improvement project of rebuilding the street and replacing the water mains on 11th Street from Lincoln to Republican. With the engineering complete, permission is requested to move forward with the bid phase. Time is important because the 400 Block of West 11th will need to be completed by August 1st (block of the Jr/Sr High School). Following discussion, Commissioner Hosie moved to proceed with the bid phase for the 11th Street (Lincoln to Republican) waterline project. Commissioner Slaughter seconded. Motion carried.

MAYOR/COMMISSIONER AND STAFF COMMENTS AND REPORTS

Commissioner Slaughter said he was pleased with the city cleanup and maybe we could look into ways of expanding this project in the fall. Mayor Hosie stated that the cemetery sure looked nice; the city crews had done a good job. City Attorney Larry Uri addressed the commission about ownership of the airport property in regard to Armand Balthazor's question in Public Comments. He said that previous legal counsel for the city as well as himself had investigated the question of ownership of the airport property and that the city did not own the land but had enough vested interest in the property to make improvements to that property. The federal agencies felt like the city would still qualify for federal assistance for improvements to the airport even though the city did not own the land.

Fire Chief Jeff Stricklin addressed Armand Balthazor's question in regard to the new sirens installed. According to the specifications, the new system is supposed to have more coverage than the old system. To make the new system efficient some of the sirens were moved to new locations and once the new system was installed they checked to make sure it covered all areas of the city. Chief Stricklin said that he did have some calls from citizens stating they could not hear the sirens from inside their house. Mr. Stricklin explained that this system was designed as an outdoor warning system and even though in some areas you can hear the sirens inside the house, it was not designed to be heard inside buildings. The citizens should acquire weather alert systems for inside or monitor the radio or T.V. for weather updates on severe weather.

In reply to Armand Balthazor's statement about the Corp of Engineers, City Manager Paine stated the reason for the city's meeting with the Corp of Engineers is to determine the viability of them participating in this project. At this point we don't even know if they will be involved.

Larry Remmenga informed everyone that they would be giving demonstrations outside using the new sewer equipment and camera.

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

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


Phil Deneault
Deputy City Clerk

(Seal)

MINUTES OF THE SPECIAL CALL COMMISSION MEETING HELD JUNE 11, 2004

The governing body met in special call session on June 11, 2004 at 1:30 p.m., in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioners Strecker, Slaughter, Jindra, and Hosie.

Absent: Commissioner Baumann.

Other Officers: City Manager Paine and Deputy City Clerk Deneault.

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

Visitors: Larry Remmenga, Jeff Stricklin and Don Dean.

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

TO THE BOARD OF CITY COMMISSIONERS:

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

Place: City Commission Room, City Hall, Concordia, Kansas
Date: June 11, 2004
Time: 1:30 o'clock p.m.

The object of said meeting will be as follows:

- 1. Call to order
- 2. Appropriation Ordinance No. 11
- 3. Accept Bid for 11th Street Waterline Improvement Project
- 4. Adjournment

DARREL HOSIE
MAYOR

BOB BAUMANN
COMMISSIONER

ART SLAUGHTER
COMMISSIONER

JOE JINDRA
COMMISSIONER

JOSEPH STRECKER
COMMISSIONER

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

TO: Joseph Strecker, Bob Baumann, Art Slaughter, Joe Jindra, and Darrel Hosie:

You are hereby notified that there will be a special meeting of the Board of Commissioners at 1:30 o'clock p.m. on the 11th day of June, 2004, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

PLACE: City Commission Room, City Hall
DATE: June 11, 2004
TIME: 1:30 o'clock p.m.

The object of said meeting will be as follows:

- 1. Call to Order.
- 2. Appropriation Ordinance No. 11
- 2. Accept Bid for 11th Street Waterline Improvement Project.
- 3. Adjournment.

(Seal)

MINUTES OF THE SPECIAL CALL COMMISSION MEETING HELD JUNE 11, 2004, contd.

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

You are hereby directed to serve the above notice at once personally upon Commissioner (s) Joseph Strecker, Bob Baumann, Art Slaughter, Joe Jindra, and Darrel Hosie or leave said notice at the usual place of residence of said Commissioner before 1:30 p.m. o'clock on the 9th day of June, 2004, and to make a return in writing of said service, showing the manner of such service.

Cheryl Lanoue
City Clerk

(Seal)

RETURN OF SERVICE

The undersigned received the original notice of Special City Commission meeting of which the foregoing is a copy at, 11:20 o'clock a.m., June 9, 2004 (Joseph Strecker); 10:36 o'clock a.m., June 9, 2004 (Bob Baumann); 11:35 o'clock a.m. on June 9, 2004 (Art Slaughter); 11:25 o'clock a.m. on June 9, 2004 (Joe Jindra); and 10:46 o'clock a.m. on June 9, 2004 (Darrel Hosie).

1. Served the same personally on Joseph Strecker. /s/ Cheryl Lanoue.
2. Served the same personally on Bob Baumann. /s/ Cheryl Lanoue.
3. Served the same personally on Art Slaughter. /s/ Cheryl Lanoue.
4. Served the same personally on Joe Jindra /s/ Cheryl Lanoue.
5. Served the same personally on Darrel Hosie /s/ Cheryl Lanoue.

APPROPRIATION ORDINANCE NO. 11

APPROVED

Appropriation Ordinance No. 11 was approved according to law.

ACCEPT BID – 11TH STREET
WATERLINE IMPROVEMENT PROJECT

APAC-KANSAS, SHEARS

Larry Remmenga, Director of Utilities, informed the commission bids were recently solicited for the 11th Street waterline improvement project. Following are the bids that were received:

<u>BIDDER</u>	<u>AMOUNT</u>
APAC-Kansas, Shears	\$298,929.00
Nowak Construction Co., Inc.	\$357,169.60

The engineer's estimate for this project was \$343,929.00 and the budgeted amount for this project is \$500,000.00. After discussion, Commissioner Strecker moved to accept the low bid in the amount of \$298,929.00 from APAC-Kansas, Shears for the 11th Street waterline improvement project. Commissioner Jindra seconded. Motion carried.

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



Phil Deneault
Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 7, 2004

The governing body met in regular session on July 7, 2004 at 5:30 p.m. in the City Commission Room in the City Hall, with Mayor Hosie presiding and the following members being present and participating, to wit: Commissioners Slaughter, Baumann, and Strecker.

Absent: Commissioner Jindra.

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

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

Visitors: Burl Maley, Jessica LeDuc, Larry Remmenga, Jeff Stricklin, Ron Copple, Brian and Amanda Strait, Kirk Lowell and Pastor Cory Shipley.

Pastor Cory Shipley, Assembly of God Victory Faith, provided the invocation before the city commission meeting.

Minutes of the June 2, 2004 regular meeting and June 11, 2004 special call meeting were approved as written.

APPROPRIATION ORDINANCE NO. 12

APPROVED

Appropriation Ordinance No. 12 was approved according to law.

APPOINTMENTS – AIRPORT ADVISORY BOARD

KIRK LOWELL, DAVID WALTHERS, TERRY LAMBERT
LAWRENCE SCHLEUDER, VAN MORRISSETTE

City Manager Paine stated the airport advisory board is reorganizing and some of the members' terms have expired and will need to be reappointed. After visiting with all the members, they have agreed to be reappointed (if their term has lapsed). The following are the members and the dates of their expiration.

Kirk Lowell	7-02
David Walthers	7-03
Lawrence Schleuder	7-03
Terry Lambert	7-04
Van Morrisette	7-04
Mike Holmes	7-05

Commissioner Slaughter moved to appoint and reappoint the members as follows. It was noted Mike Holmes' term does not expire until June 30, 2005 so he will not need to be reappointed at this time. Commissioner Baumann seconded. Motion carried.

Kirk Lowell	7-06
David Walthers	7-07
Lawrence Schleuder	7-07
Terry Lambert	7-08
Van Morrisette	7-08

PUBLIC COMMENTS

Brian and Amanda Strait wanted to publicly thank Kirk Lowell and Larry Paine for the letter of support to keep the Dollar General Store downtown. Brian and Amanda Strait purchased the building that the Dollar General Store is located.

C.A.R.E.S., INC.

City Manager Paine stated he had not been able to make contact with Sarah Holbert regarding the repayment of their outstanding balance of a Concordia Revolving Loan. He will continue to try and contact her.

RESOLUTION NO. 2004-1521 STATE AID CONNECTING LINK

APPROVED

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.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 7, 2004, contd.

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1521 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2004-1522
DILIP PATEL – 301 E. 1ST
NUISANCE ABATEMENT

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: LOTS SEVEN (7) THROUGH NINE (9), BLOCK 201 IN CONCORDIA, ORIGINAL TOWN IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF (301 E. 1ST)

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1522 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2004-1523
BRENDA MATTHEWS/JOHN KEY
604 W. 6TH
NUISANCE ABATEMENT

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: THE NORTH ONE HUNDRED THIRTY-NINE FEET (139') OF LOT ONE (1) BLOCK SEVEN (7) IN THE GAYLORD AND MATTHEW'S ADDITION IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF; (604 W. 6TH)

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1523 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2004-1524
CARL NEWMAN – 910 W. 11TH
NUISANCE ABATEMENT

APPROVED

Thereupon, there was presented a Resolution entitled:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 7, 2004, contd.

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: ALL OF BLOCK ONE (1) EXCEPT A TRACT BEGINNING IN THE NE CORNER, THEN SOUTHWESTERLY 136.08', NORTHWESTERLY 30.02', SOUTHEASTERLY 121.7', EAST 32.57 FEET TO POINT OF BEGINNING, IN THE LOST CREEK HILLS ADDITION OF THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF. (910 W. 11TH)

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1524 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2004-1525
BARBARA HAMILTON – 1202 OLIVE
NUISANCE ABATEMENT

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: THE NORTH FIFTY-TWO FEET (52') OF LOTS ONE 91) & TWO (2) IN BLOCK SEVENTY-ONE (71), ORIGINAL TOWN, CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, ACCORDING THE RECORDED PLAT THEREOF. (1202 OLIVE)

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1525 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2004-1526
CONNIE ALLEN – 429 E. 2ND
NUISANCE ABATEMENT

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: LOT SEVENTEEN (17) in BLOCK ONE HUDNRED EIGHTY-EIGHT (188) CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, ACCORDING THE RECORDED PLAT THEREOF; (429 E. 2ND)

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

Nay: None.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 7, 2004, contd.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1526 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2004-1527
HUD – 319 E. 11TH
NUISANCE ABATEMENT

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: LOTS SIX (6) AND SEVEN (7), BLOCK NINETY-FOUR (94) AND THE SOUTH THIRTEEN FEET (13') OF VACATED COURT STREET ADJACENT IN CONCORDIA, ORIGINAL TOWN IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF; (319 E. 11TH)

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1527 and was signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Slaughter asked if a person from the Housing Authority could come talk to them about their duties.

Mayor Hosie asked about the swimming pool and if there were comments on the 4th of July.

STAFF COMMENTS

City Manager Paine advised the commission that he has received a letter from Senator Taddiken regarding the use of TIF monies for demolition. The letter from the Attorney General states this is acceptable use of TIF monies.

EXECUTIVE SESSION - DISPOSITION OF LAND

HELD

At this time Commissioner Hosie moved that the commission recess into executive session for fifteen (15) minutes to discuss disposition of land. Commissioner Strecker seconded. Motion carried. Time: 6:05 p.m. Inviting: Larry Paine, Kirk Lowell and Larry Uri.

The commission reconvened at 6:20 p.m.

Mayor Hosie announced that there was no binding action taken.

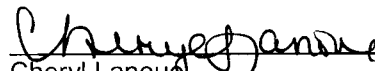
Commissioner Strecker moved to recess into executive session for an additional fifteen (15) minutes to discuss disposition of land. Commissioner Slaughter seconded. Motion carried. Time: 6:21 p.m. Inviting: Larry Paine, Kirk Lowell and Larry Uri.

The commission reconvened at 6:36 p.m.

Mayor Strecker announced that there was no binding action taken

Mayor Hosie stated there would a study session following the meeting.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 5, 2004

The governing body met in regular session on May 5, 2004, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Hosie presiding and the following members present: Commissioners Baumann, Jindra, Strecker and Slaughter.

Absent: None.

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

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

Pastor Gay Robertson provided the invocation before the city commission meeting.

Visitors: Armand Balthazor, Jeff Stricklin, Burl Maley, Larry Remmenga, Jessica LeDuc, Brian Strait, Ron Copple, Bess Payton, Lois Stone, Kirk Lowell, Rev. Gay Robertson, Jack Gould, Fedora Nobert, Shannon Heldenbrand, Kristie Giersch, Carissa Goeglein and Dean Boyles.

Minutes of the April 21, 2004 regular meeting were amended and approved as follows: Joe Jindra served two (2) years as a Commissioner not three (3) years

APPROPRIATION ORDINANCE NO. 8

APPROVED

Appropriation Ordinance No. 8 was approved according to law.

PROCLAMATION – BUDDY POPPY DAY

Mayor Hosie read the proclamation and the commission declared May 15th, 2004 as Buddy Poppy Day for the Veterans of Foreign Wars in the United States.

PROCLAMATION – EMERGENCY MEDICAL SERVICES WEEK

Mayor Hosie read the proclamation and the commission declared May 16TH – 22ND, 2004 as Emergency Medical Services Week.

PUBLIC COMMENTS

Armand Balthazor made a suggestion regarding the Dam situation to use the upper dam to hold back some of the water and drain it off slowly. He also asked if there was going to be a road across the main retention dam.

RESOLUTION NO. 2004-1520

PASSED

Thereupon, there was presented a Resolution entitled:

THE GOVERNING BODY HAS REVIEWED AND APPROVED THE ATTACHED CONTRACT BETWEEN THE CITY OF CONCORDIA AND WALTERS-MORGAN CONSTRUCTION, INC. FOR THE DESIGN AND CONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE WASTEWATER TREATMENT PLANT. THE CITY MANAGER IS AUTHORIZED AND DIRECTED TO EXECUTE THE ATTACHED CONTRACT.

Thereupon, Commissioner Strecker moved that said Resolution be adopted. The motion was seconded by Commissioner Jindra. 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 Strecker, Hosie, Baumann, Jindra and Slaughter

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2004-1520 and was signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Slaughter encouraged citizens to participate in the city clean up week to make the city look nice, something we can be proud of.

Commissioner Strecker discussed the problem of citizens mowing grass and throwing it into the street and raking their leaves into the street. The city needs to educate the citizens about this problem and the consequences of such actions such as plugged storm drains and etc. He asked the City Manager to look into this problem.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 5, 2004 cont'd

Mayor Hosie encouraged people to attend the ribbon cuttings for new businesses and asked how the sewer cleaning machine is working. He also asked if the land purchase from Beldon Blosser had been completed. Mayor Hosie asked City Attorney Larry Uri what the city's cost for legal fees were in regard to the TIF Petition. Larry Uri stated his fees in addition to his contract were \$1453.50. Mayor Hosie wanted this information to be made public, there should not be any secrets, the public should be informed as much as possible when it comes to city business whether it be making policy or how we spend money.

STAFF COMMENTS

Larry Remmenga gave the commissioners an update on the new sewer cleaning machine and their progress with this new equipment.

Jeff Stricklin informed the commissioners that KMIT had contacted the city in regard to the city's worker compensation policy. They informed him that the city had been moved up to a gold status which is a higher rating resulting in a savings of about \$2,500.00 this was possible because of the city's safety program. Originally it was going to take 5 years to reach this status but the city has made it in 2 years.

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

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


Phil Deneault
Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 21, 2004

The governing body met in regular session on July 21, 2004 at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Slaughter, Hosie, Baumann, Strecker, and Jindra.

Absent: None.

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

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

Visitors: Burl Maley, Armand Balthazor, Jessica LeDuc, Larry Remmenga, Jeff Stricklin, Ron Copple, Kirk Lowell, Brian Strait, Joe Breault, Pastor Cory Shipley, John Lovevoy, Ray Thomen, Mo Gold, Sandi Kinser, and Jerry Kinser.

Pastor Cory Shipley, Assembly of God Victory Faith, provided the invocation before the city commission meeting.

Minutes of the July 7, 2004 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 13

APPROVED

Appropriation Ordinance No. 13 was approved according to law.

SECOND QUARTER INVESTMENT REPORT

ACCEPTED

City Clerk Lanoue presented the second quarter investment report per Ordinance No. 1860. Total interest for the second quarter in 2004 was \$6,335.74 compared to \$11,079.31 for 2003. Commissioner Jindra moved to place on file the second quarter investment report. Commissioner Slaughter seconded. Motion carried.

CLOUDCORP INTRODUCTION OF THE PRINCIPALS OF GOLD-THOMEN FINANCIAL SERVICE GROUP

Kirk Lowell, Cloudcorp, introduced Ray Thomen and Mo Gold, Principals of Gold-Thomen Financial Service Group. Mr. Lowell stated they are gathering information on the community. This is the first phase of the business recruitment.

PUBLIC COMMENTS

None.

RESOLUTION NO. 2004-1528

C.A.R.E.S. INC. – LOAN RESTRUCTURE

PASSED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE CITY OF CONCORDIA AND CARES, INC. HAVE AGREED TO A RESTRUCTURING OF THE LOAN ISSUED TO CARES, INC. FROM THE CONCORDIA REVOLVING LOAN FUND;

Thereupon, Commissioner Baumann moved that said Resolution be adopted. The motion was seconded by Commissioner Hosie. 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 Slaughter, Jindra, Baumann, Hosie and Strecker.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1528 and was signed by the Mayor and attested by the Clerk.

PUBLIC HEARING – CURB AND GUTTER HAIST/BRAMWELL/HAIST

HELD

Mayor Hosie opened the public hearing for the curb & gutter projects. Mayor Hosie announced that this was a hearing on proposed assessments as set out in the assessment rolls prepared by the City Clerk and on file in the Office of the City Clerk, for the following improvements:

Curb and gutter replacement at the following locations: 604 E. 7th; 1610 Cedar; 711 W. 5th

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 4, 2004

The governing body met in regular session on August 4, 2004 at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Slaughter, Hosie, Strecker, and Jindra.

Absent: Commissioner Baumann.

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

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

Visitors: Burl Maley, Jessica LeDuc, Larry Remmenga, Jeff Stricklin, Steve Dailey, John States, Ron Copple, Kim Cripe, George Champlin, Rex Gerard, Kirk Lowell, Ron Solt, and John Davis.

Pastor John States, First Christian Church, provided the invocation before the city commission meeting.

Minutes of the July 21, 2004 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 14

APPROVED

Appropriation Ordinance No. 14 was approved according to law.

PUBLIC COMMENTS

George Champlin asked several questions regarding the cable in Concordia and what could be done to have cheaper rates?

Ron Solt stated there are several vehicles running the stop lights on US 81. He asked if there could be more patrol on US 81 before school starts.

HOUSING AUTHORITY UPDATE – KIM CRIPE

Kim Cripe, Manager/Secretary of the Housing Authority, gave the city commission an overview of the Housing Authority. Ms. Cripe asked for assistance from the city for the water bills.

CITY OF JAMESTOWN MOSQUITO FOG CONTRACT

Larry Paine stated the city received a letter from the Mayor of Jamestown asking the city to fog for mosquitoes in Jamestown. Mr. Paine asked for the commission's thoughts on this. All thought it was a good idea.

DISCUSSION OF PIT BULL ORDINANCE

Larry Uri presented a draft ordinance to be discussed regarding pit bulls. The ordinance would not allow any new pit bulls in the city limits and would require the pit bulls currently in the city to comply with the following:

Register within ten days.

Leash and muzzle the pit bull when outside its kennel or pen.

Securely confined indoors or in a securely enclosed and locked pen or kennel.

Have a sign "Beware of Dog" on premise.

Insurance of \$50,000 within 20 days for bodily injury or death.

Provide identification photographs within 20 days.

Report within ten days if the dog was removed from the city or died, the birth of offspring and the new address of pit bull dog owners.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 4, 2004, contd.

**DISCUSSION OF
INOPERABLE VEHICLE ORDINANCE**

Larry Uri presented a draft ordinance on inoperable vehicles in the city. The city commission encouraged citizens comments on the topic either to them or staff.

**RESOLUTION NO. 2004-1532 – 300 BK E. 1ST
NUISANCE ABATEMENT- CLARENCE SCHENK**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: LOTS 2 & 3, BLOCK 201, CONCORDIA ORIGINAL TOWN, CONCORDIA, KANSAS (300 BLOCK OF E. 1ST)

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1532 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1533- 403 E. 2ND
NUISANCE ABATEMENT- LOYD RICE**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: N. 68 LOTS 10 & 11, BLOCK 188, CONCORDIA ORIGINAL TOWN, CONCORDIA, KANSAS (403 E. 2ND)

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1533 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1534- 232 W 6TH
NUISANCE ABATEMENT- GEORGE SCHOENBRUNN**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: W 16' OF LOT 16, BLOCK 134, CONCORDIA ORIGINAL TOWN, CONCORDIA, KANSAS (232 W. 6TH)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 4, 2004, contd.

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1534 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1535 – 444 W. 9TH
NUISANCE ABATEMENT- BRYANT THURSTON**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA:
W 2' OF LOT 10, ALL OF 11 & 12, BLOCK 107, CONCORDIA ORIGINAL TOWN,
CONCORDIA, KANSAS (444 W. 9TH)

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1535 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1536 – 115 E. 13TH
NUISANCE ABATEMENT- FASTENAL COMPANY**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA:
LOTS 14, 15, & W 7' OF LOT 16, BLOCK 69, AND A TR. ADJ. SAID LOTS ON S. BEG. AT
SW COR OF LOT 14, S TO N LI OF 13TH ST. E 95', N TO (115 E. 13TH)

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1536 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1537- 1400 BLOCK E. 6TH
NUISANCE ABATEMENT- ROBERT RASURE**

APPROVED

Thereupon, there was presented a Resolution entitled:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 4, 2004, contd.

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: E4 E2 NE4 SW4 S OF 6TH ST. & N OF 7TH ST. EXC E 30, CONCORDIA, KANSAS (1400 BLOCK E. 6TH)

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1537 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1538 – 639 E. 15TH
NUISANCE ABATEMENT- LEON BALL**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: E 60' LOT 14, BLOCK 56, CONCORDIA ORIGINAL TOWN, CONCORDIA, KANSAS (639 E. 15TH)

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1538 and was signed by the Mayor and attested by the Clerk.

**ORDINANCE NO. 2004 – 2874
ZONING CHANGE – ORPHAN TRAIN PROPERTY**

APPROVED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE OF THE CONCORDIA CITY COMMISSION AMENDING THE CITY ZONING MAP BY APPROVAL OF A REZONING OF LOTS 1-10, BLOCK 171, CONCORDIA ORIGINAL TOWN, FROM "I-2" LIGHT INDUSTRIAL TO CONDITIONAL "C-3" GENERAL COMMERCIAL.

Thereupon, Commissioner Jindra 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 Strecker, Hosie, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2004-2874 signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Strecker asked for an update on the W. 11th Street waterline project. Larry Remmenga advised the line from Republican to Cedar has been installed and they are now moving east.

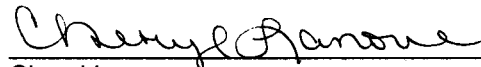
Commissioners Hosie and Slaughter thanked George Champlin for his comments on cable. Commissioner Slaughter stated maybe the city should purchase the lines and lease the lines out. We need to investigate different possibilities.

STAFF COMMENTS

City Manager Paine advised he toured OCCK and Town & Country today.

Burl advised the commission the 81 corridor is a concern and they will try to make it safer.

There being no further business, Commissioner Slaughter moved to adjourn to August 11, 2004. Commissioner Strecker seconded. Motion carried.


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD AUGUST 11, 2004

The governing body met in a adjourned session on August 11, 2004, at 5:30 p.m. in the City Commission Room with the Mayor Hosie presiding and the following members present: Commissioners Strecker, Slaughter and Jindra.

Absent: Commissioner Baumann.

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

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

Visitors: Armand Balthazor, Jessica LeDuc, Brian Strait, Ron Deal, Dave Aggson, Jeff Stricklin, Ron Copple, Colton and Lori Adam, Burl Maley, Larry Remmenga, Greg Hattan and Kirk Lowell.

PUBLIC HEARING 2005 BUDGET

HELD

Mayor Hosie opened the public hearing.

Larry Paine, City Manager, stated the proposed budget decreased the mill levy and the property taxes, but the total budget increased over last year because of the capital projects.

Armand Balthazor asked if the commission could decrease the mill more and asked what the monies in TIF were being used for.

Mr. Paine advised the TIF expenditures were for flood control, downtown project, theater project and debt service.

Mr. Balthazor stated there are a lot of transfers and asked why we do so many transfers.

Commissioner Hosie stated part of the transfers is for vehicles and equipment purchases. This enables the city to save the money for the vehicles and equipment.

Greg Hattan stated the comment from City Manager Paine on the mill levy and the dollar amounts stayed the same is incorrect. The property tax levied in 2004 budget was \$1,146,215 and the 2005 proposed budget is \$1,174,354 a difference of approximately \$28,000.

Mr. Hattan asked if the commission had a target amount for the Employee Health Care Fund since the fund has decreased over the last couple years.

Commissioner Hosie stated we are not trying to reduce the fund.

Mr. Hattan stated the city had contributed \$5,000 towards the contract with Gold-Thomen Financial Service Group to relocate businesses to Cloud County. Mr. Hattan asked how many companies they have been involved with relocating.

Mr. Paine stated the information he is asking for could be obtained from CloudCorp.

Mr. Hattan asked about the land purchased from Beldon Blosser and if the flood retention project would take all of the land or if there would be land left.

City Manager Paine advised the land not used for the flood retention structure would be sold.

Mr. Hattan asked about the \$1,750,000 in TIF, if that was a new bond.

City Manager Paine advised there would be bonds issued next year.

Mr. Hattan stated the city would have approximately 9.2 million in principle and interest after the TIF issue, in 2005. Mr. Hattan was wondering if any of the TIF Bonds were included in the city's percentage of debt the city could issue.

Mr. Paine stated the TIF Bonds were not included in the city's maximum indebtedness.

Mr. Hattan stated from 1999 to 2005 the Police Department expenditures increased 24% or approximately 4% a year and the Fire/Ambulance Department expenditures increased 143% over the same time frame or 101% without the new fire equipment or a 20% increase per year. Mr. Hattan asked why there has been a push to consolidate the police and sheriff departments, but not toward countywide ambulance service. Mr. Hattan asked why we were not looking at consolidating ambulance if consolidation is to save money. Mr. Hattan also asked if the city was supportive of the Bill for consolidation of the police and sheriff.

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD AUGUST 11, 2004, contd.

Mr. Hattan stated the revenue the city has collected or is projecting in 2003 is \$157,852 \$137,194 for 2004 and \$166,308 for 2005 with the difference between 2003 and 2005 being approximately \$9,000. Mr. Hattan was wondering how you fund two positions with \$9,000 increase? Mr. Hattan asked how many long distance transfers there were last year, how many did the city turn down and why we turned them down.

Mr. Paine stated they would be filling one position to see if it is a viable solution to the problem, with a consultant to review the billing process. Mr. Paine stated there were 34 long distance transfers and the volunteers were turning down the calls.

Jeff Stricklin, Fire Chief, stated 7 calls were turned down.

Commissioner Hosie said long distance transfers were essential to keeping a hospital.

Mr. Hattan asked if the city was purchasing a command vehicle, when the bids were due and whom it was for.

Mr. Paine stated the city was purchasing a 2002 or a new pickup, bids were due yesterday and will be discussed on the August 18th city commission meeting, and it would be the chief's vehicle.

Commissioner Hosie stated the vehicle would also be used to pull the prevention trailer.

Mr. Hattan asked if there were plans for Hill Street in the Capital Improvement Plan and if this was because a property owner had petitioned the project.

Commissioner Hosie stated there were plans for engineering and to pave Hill Street and no, property owners had not petitioned the city.

Mr. Hattan stated he did not understand why the city would pave a street designated by the state as a sub-standard road. Mr. Hattan said Hill Street is not to width and it does not have the base and there's no curb and guttering. "Why would you increase traffic on a road that will not be able to handle it?" Mr. Hattan advised the idea to pave the road behind the Catholic Cemetery was to funnel traffic down Archer and 18th Street. Mr. Hattan stated a city-at-large project is to be a connecting link or major thoroughfare and Hill Street is neither. Mr. Hattan said he did not understand the thinking and the project did not match the definition in your own policy.

Mr. Paine stated city commission makes policy and they can vary from policy to policy. The commission will do what it takes to make a safe road.

Mr. Hattan asked how many unpaved roads there are in Concordia, if the city is going to pave them all city-at-large and when has the city done this in the past.

Commissioner Jindra said, "It is the right thing to do". Commissioner Jindra stated he would like to see all gravel roads eliminated and if policy needs to be changed then that is what needs to happen.

Mr. Hattan asked about the financial impact, the fairness, why this road and if we know the cost.

Commissioner Jindra stated there was \$30,000 in the 2005 budget.

Mr. Hattan said the city has always assessed the property owners for these types of projects.

Commissioner Slaughter said Hill Street was a major thoroughfare into Concordia.

Mr. Hattan said the State does not classify it that way.

Commissioner Slaughter stated "I don't care what the State says, we live here and we know it is".

There being no further comments Mayor Hosie closed the public hearing

ORDINANCE NO. 2004-2875
ADOPTION OF 2005 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, 2005, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS.

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD AUGUST 11, 2004, contd.

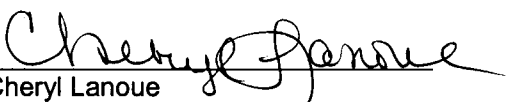
Thereupon, Commissioner Jindra moved that said Ordinance be passed. The motion was seconded by Commissioner Strecker. Said Ordinance was duly read and considered, and upon being put, the motion for the passage of said Ordinance was carried by the vote of the City Commission, the vote being as follows:

Yes: Commissioners Slaughter, Strecker, Hosie and Jindra

No: None

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2004-2875 was signed and approved by the Mayor and attested by the Clerk.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 18, 2004

The governing body met in regular session on August 18, 2004 at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Slaughter, Hosie, Baumann, Strecker, and Jindra.

Absent: None.

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

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

Visitors: Burl Maley, Jessica LeDuc, Larry Remmenga, Ron Copple, Jeff Stricklin, Doyle Reed, Kirk Lowell, Ted Collins, Robert Kearn, Brenda Kearn, Char Dooley, LaRae Naylor, Raye Crane, Sarah Holbert, James L. Workman, Roy E. Reif, Paul Moon, Michael Trost, Larry Lanoue, Jeannie Wilson, Cheri Wilson, Ron Deal, Harold Crane, Dustin Crane, Autumn Blochlinger, Larry Eubanks and Kevin Smith.

Minutes of the August 4, 2004 regular meeting and August 11, 2004 adjourned meeting were approved as written.

APPROPRIATION ORDINANCE NO. 15

APPROVED

Appropriation Ordinance No. 15 was approved according to law.

PUBLIC COMMENTS

Sarah Holbert was present and gave the commission some information she had put together on dog bites, restrictions on dogs, insurance on dogs and a community approach to dog bite prevention. She compiled some statistics in regard to this issue and gave the commissioners information on her research. Sarah was also concerned about breed specific legislation. There are so many different breeds and sometimes it's hard to determine a dog's breed. She asked who would determine a dog's breed with such an ordinance. Sarah said she was not against restrictions on dogs but she felt this ordinance could be improved. Some of the ideas she gave the commission for improving the existing laws or making new laws are: better record keeping by city staff to prevent repeat dog attacks since statistics show that in most cases if a dog does it once there is a good chance the animal will do it again; a better definition of pit bulls and who will make that determination; anti-tethering laws, research shows that tethered dogs have a tendency to be more aggressive especially if not let off very often; owners of vicious dogs would have to show proof of insurance; form a community advisory committee for advice and support in determining the breed of a dog and neutering of male dogs.

Rayetta Crane and LaRae Naylor addressed the commission in regard to the pit bull ordinance. They challenged the commission as to what a pit bull looks like. They said most people can not identify a pit bull. Rayetta stated they would rather see restrictions on pit bulls than a ban and restrictions should apply to all vicious dogs not just pit bulls. She agreed with Sarah Holbert that there should be anti-tethering laws. Tethered dogs are more aggressive and research shows this. Rayetta and LaRae both felt the ordinance should be tabled and a town meeting held with two city commissioners present, two people from the public present, one person from the police department, one individual outside the city and a veterinarian. They also provided the commission with a list of pit bull regulations they had put together and a petition signed by citizens challenging the pit bull ordinance.

Pit Bull Regulations

*Must be at least 21 years old to obtain ownership.

*No person felonies.

*1 color picture must be provided for each dog to the city office.

*Breeders have until 12 weeks to sell puppies with extensions available upon request upon certain circumstances.

*Harness (no collars) must be on dog at anytime when the dog is outside.

*Required to own a muzzle but not the use all the time when dog is outside.

*Leash 4 ft. long or less – No retractable leashes.

*When outside

-6 ft. high fence

-1 ft. in ground

-3 ft. from public access

-locked

-top secure on kennel

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 18, 2004, contd.

*Able to obtain physical control and mental capacity to own or possess.

*Permit fees

\$20-one dog

\$5-each additional dog

Kirk Lowell was present and said there would be no presentation on the lake project until the later part of September or early part of October. The time given in the Salina Journal was incorrect.

ACCEPT VEHICLE BIDS

POLICE DEPARTMENT/PUBLIC WORKS/EMS

Larry Uri, City Attorney, advised the commission the city solicited bids for a new police car, a new public works pickup and a new or used 2002 EMS vehicle. Burl Maley (Police), Ron Copple (Street) and Jeff Stricklin (Fire) presented the new vehicle bids to the commission.

	WITHOUT TRADE-IN	WITH TRADE-IN
POLICE CAR		
Babe Houser Motor		
2005 Chevrolet Impala w/police package (trade-in - 1996 Chevy Lumina)	\$21,419.00	\$20,419.00
Womack Sunshine Ford		
No bid		
PUBLIC WORKS		
Babe Houser Motor		
2005 Chevrolet 1/2 ton, long bed (trade-in - 1990 Chevy 1/2 ton)	\$15,840.00	\$14,840.00
Womack Sunshine Ford		
2004 Ford F-150 4x2 (*Less Ford rebate and trade-in 1990 Chevy) (Financed thru Ford rebate of \$1,500.00)	\$24,080.00	\$19,000.00*
FIRE DEPARTMENT		
Babe Houser Motor		
No Bid		
Womack Sunshine Ford		
2002 Ford F-250 4x4		
W/brush guard and winch package A	\$31,558.00	
W/brush guard and winch package B	\$31,848.00	
W/brush guard and winch package C	\$31,883.00	
W/brush guard and winch package D	\$31,988.00	
W/brush guard and winch package E	\$32,278.00	
W/brush guard and winch package F	\$32,313.00	

Following discussion, Commissioner Jindra moved to accept the bid on the 2005 Chevrolet Impala from Babe Houser Motor Co., Inc. in the amount of \$20,419 w/trade for the police department. Commissioner Baumann seconded. Motion carried.

Following discussion, Commissioner Strecker moved to accept the bid on the 2005 Chevrolet ½ ton pickup from Babe Houser Motor Co, Inc. in the amount of \$14,840 w/trade for the public works department. Commissioner Baumann seconded. Motion carried.

Following discussion, Commissioner Slaughter moved to accept the bid on the 2002 Ford F-250 4x4 with the brush guard and winch package D and no extended warranty and no trade in, in the amount of \$31,988.00, from Womack Sunshine Ford. Commissioner Jindra seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 18, 2004, contd.

**ACCEPT CONCRETE BID
CDBG - FIRST STREET PROJECT**

CONCORDIA READY MIX

Ron Copple, Director of Public Works, informed the commission the city solicited bids for concrete and for concrete related materials for the 1st Street Community Development Block Grant project. The only bid received was from Concordia Ready Mix for \$69.90 per CU YD. Other materials: Fly Ash n/a; Hot Water \$ 2.00 per CU YD; Polar Set 1% \$ 2.25 per CU YD; Flowable Fill \$38.50 per CU YD.

Following discussion, Commissioner Jindra moved to accept the bid from Concordia Ready Mix in the amount of \$69.90 per CU YD. Other materials: Fly Ash n/a; Hot Water \$ 2.00 per CU YD; Polar Set 1% \$2.25 per CU YD; Flowable Fill \$38.50 per CU YD, pending the Department of Commerce approval. Commissioner Slaughter seconded. Motion carried.

**APPROVE CONTRACT –
CDBG – FIRST STREET PROJECT**

CONCORDIA READY MIX

Ron Copple, Director of Public Works, advised the commission, after accepting the bid from Concordia Ready Mix for the concrete for the 1st Street project, a contract would have to be signed. Commissioner Jindra moved to authorize the Mayor to sign a contract with Concordia Ready Mix for the 1st Street project, pending the Department of Commerce approval. Commissioner Slaughter seconded. Motion carried.

**RESOLUTION NO. 2004-1539 – 128 STRAIN
NUISANCE ABATEMENT- SHAWN HADLEY**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: LOTS 7, 8 & 9, BLOCK 1 (128 STRAIN)

Thereupon, Commissioner Strecker moved that said Resolution be adopted. The motion was seconded by Commissioner Jindra. 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 Strecker, Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1539 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1540 – 103 STRAIN
NUISANCE ABATEMENT- DELBERT MENDENHALL**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: LOT 18 & W. 22.5' OF VACATED BROADWAY ST. ADJ., BLOCK 5 (103 STRAIN AVE.)

Thereupon, Commissioner Jindra moved that said Resolution be adopted. The motion was seconded by Commissioner Slaughter. 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 Strecker, Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1540 and was signed by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 18, 2004, contd.

**RESOLUTION NO. 2004-1541 – 1707 E 7TH
NUISANCE ABATEMENT- DANNY & VICKIE CONN**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: S. 235 OF E2 E 2 NW 4 SE4 EXC. E1 70 & EXC. ROW, (1707 E. 7TH)

Thereupon, Commissioner Strecker moved that said Resolution be adopted. The motion was seconded by Commissioner Hosie. 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 Strecker, Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1541 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1542 – 636 E 15TH
NUISANCE ABATEMENT- MARY HYDORN**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: W. 66' OF THE E. 88' OF LOT 2, BLOCK 41, ORIGINAL TOWN, CONCORDIA, KANSAS (636 E. 15TH)

Thereupon, Commissioner Stecker moved that said Resolution be adopted. The motion was seconded by Commissioner Slaughter. 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 Strecker, Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1542 and was signed by the Mayor and attested by the Clerk.

ORDINANCE - PIT BULL

TABLED

After public comments and discussion, Commissioner Slaughter moved to table this ordinance until the next meeting. Commissioner Baumann seconded. Motion carried.

**ORDINANCE NO. 2004-2876
INOPERABLE VEHICLE**

APPROVED

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

AN ORDINANCE PROVIDING FOR THE REGULATION AND REMOVAL, AND ABATEMENT OF INOPERABLE VEHICLES WITHIN THE CITY OF CONCORDIA, KANSAS, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 13-3.

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

Aye: Commissioners Strecker, Hosie, Jindra and Slaughter.

Nay: Commissioner Baumann.

Thereupon, the Ordinance having received a four to one vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2004-2876 and was signed and approved by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 18, 2004, contd.**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Slaughter stated the alley behind the Brown Grand needed some attention. The commission asked when the city was going to start the improvements on the Brown Grand parking lot. Ron Copple said that currently the city does not have the design and plans from Campbell & Johnson.

STAFF COMMENTS

Larry Uri, City Attorney, stated he felt the pit bull ordinance was necessary. He said there were a lot of good ideas discussed in regard to vicious dog restrictions and control of pit bulls but preventing the attacks by pit bulls was the primary concern. Many of the surrounding towns have the same concerns and have adopted similar pit bull ordinances.

Ron Copple, Director of Public Works, stated there was going to be a meeting Thursday night, August 19th on the 1st Street project. It was also stated that notification was given in advance to the public that the commissioners might be present at the meeting if they decided to be there.

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


Phil H. Deneault
Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 1, 2004

The governing body met in regular session on September 1, 2004 at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Slaughter, Hosie, Baumann, Strecker, and Jindra.

Absent: None.

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

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

Visitors: Burl Maley, Armand Balthazor, Ron Deal, Pastor John Ward, Jessica LeDuc, Jeff Stricklin, Brian Strait, Rod & Kathy Imhoff, Debra Peters and Kirk Lowell.

Pastor John Ward, Baptist Church, provided the invocation before the city commission meeting.

Minutes of the August 18th, 2004 regular meeting minutes were amended to reflect the ordinance on pit bulls was tabled indefinitely. Commissioner Slaughter moved to approve the minutes reflecting the amendment and Commissioner Baumann seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 16

APPROVED

Appropriation Ordinance No. 16 was approved according to law.

PUBLIC COMMENTS

Armand Balthazor stated he had talked to the kids regarding the skate park and he felt the fence around the area was to close. Mr. Balthazor also stated he liked the banner that was put back up across the street between Broadway and Lincoln on 6th Street,

Kirk Lowell advised the movie theater is moving ahead and will be asking the city for TIF monies. He also stated the Shady Lake Motel is under contract and will be asking for TIF monies for demolition, retaining wall, etc.

VOTING DELEGATES TO 2004 LEAGUE CONFERENCE

Commissioner Baumann moved to appoint Commissioner Hosie and Commissioner Strecker as voting delegates to the 2004 League Conference. Commissioner Jindra seconded. Motion carried.

EXECUTIVE SESSION - CONFIDENTIAL DATA RELATING TO FINANCIAL AFFAIRS OF A CORPORATION

HELD

At this time Commissioner Hosie moved that the commission recess into executive session for twenty (20) minutes to discuss confidential data relating to financial affairs of a corporation. Commissioner Strecker seconded. Motion carried. Time: 5:47 p.m. Inviting: Larry Uri, Larry Paine, Debra Peters, Rod and Kathy Imhoff and Kirk Lowell.

The commission reconvened at 6:07 p.m.

Mayor Hosie announced that there was no binding action taken.

RESOLUTION NO. 2004-1543 AMEND PROMISSORY NOTE – ROD'S FOOD STORE

PASSED

Kirk Lowell, CloudCorp, said:

"The 2002-2003 expansion of Rod's Rood Store in Downtown Concordia resulted in an excellent project for our community in general and especially for our Downtown Market Place. Now Rod's Thriftway is continuing as a vibrant and important local business expansion in our community.

It is important to note that Rod's expansion and related project financing was based on financial projections rather than historic operating numbers. The original Concordia Revolving Loan Fund (CRLF) loan of \$323,700 was based on projections. Rod's now has one year of operation in the newly expanded business that provides detailed historic financial information concerning a totally new and different income and expense business operating environment.

With this new historic financial information, it is time to make adjustments to the project's financing mechanisms to help insure ample monthly cash flow for Rod's Thriftway thus providing a more stable operating environment for this much needed business in our community.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 1, 2004, contd.

The City authorizing six (6) months of interest only payments and re-amortizing the CRLF loan, and the Kansas Department of Commerce authoring the restructuring of the CRLF from a 9.25 Full-Time Equivalent (FTE) job creation requirement to a 17.5 FTE job retention requirement are very pro business and pro community actions.

These three CRLF actions will take great financial and future expansion pressure off the business so that the business can concentrate on its current business operations in today's economy and remain operating in our community while providing goods, services, jobs and tax base for many year's to come.

CloudCorp stands in support of the proposed amendments to the Rod's Thriftway CRLF promissory note."

Mr. Lowell noted Citizens National Bank approved amendments to their loan requirements and we will be asking SBC to amend theirs.

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY FINDS IT ADVISABLE TO APPROVE A PROPOSAL BY RODNEY D. AND KATHERINE L. IMHOFF AND ROD'S FOOD STORES, INC. FOR AMENDMENTS TO A LOAN MADE BY THE CONCORDIA REVOLVING LOAN FUND.

Thereupon, Commissioner Jindra moved that said Resolution be adopted. The motion was seconded by Commissioner Slaughter. 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 Strecker, Hosie, Baumann, Jindra and Slaughter

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2004-1543 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1544 – 323 E. 12th
NUISANCE ABATEMENT- TERRANCE EATON**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: LOT 15, BLOCK 78, ORIGINAL TOWN, CONCORDIA (323 E. 12TH)

Thereupon, Commissioner Strecker moved that said Resolution be adopted. The motion was seconded by Commissioner Jindra. 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 Strecker, Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1544 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1545 – 1210 OLIVE
NUISANCE ABATEMENT- JOHN & NAOMI VERMILLION**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: S. 40' LOTS 1 AND 2, BLOCK 71, ORIGINAL TOWN, CONCORDIA, (1210 OLIVE)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 1, 2004, contd.

Thereupon, Commissioner Jindra 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 Strecker, Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1545 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1546 – 833 E. 6TH
NUISANCE ABATEMENT- ROBERT G. STROUP, JR.**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: LOT 18, BLOCK 3, DRAKE'S ADDITION, CONCORDIA (833 E. 6TH)

Thereupon, Commissioner Strecker moved that said Resolution be adopted. The motion was seconded by Commissioner Baumann. 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 Strecker, Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1546 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1547 – 215 E. 6TH
NUISANCE ABATEMENT- ARLAN JENSEN**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: LOT 26, BLOCK 146, ORIGINAL TOWN, CONCORDIA (215 E. 6TH)

Thereupon, Commissioner Strecker moved that said Resolution be adopted. The motion was seconded by Commissioner Slaughter. 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 Strecker, Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1547 and was signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Slaughter recognized Cheryl Lanoue for being accepted into the Second Level Membership in the Master Municipal Clerk Academy Program of the International Institute of Municipal Clerks (IIMC).

Commissioner Slaughter stated the Presbyterian Church is having a problem with skateboards.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 1, 2004, contd.

Commissioner Strecker asked the status of the 11th Street water line project.

City Manager Paine advised there were some pressure problems, but adjustments were being made and staff is pleased with the installation of the water lines.

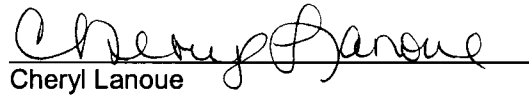
STAFF COMMENTS

Cheryl Lanoue advised the City Commission the skateboard area fencing was a requirement of the city's insurance carrier along with a signage and policies. There were families involved with this project. The group raised approximately \$6500, with approximately \$2900 being used for the fencing and materials and approximately \$3600 on equipment. The City's special alcohol fund funded \$6500 of the equipment in 2004 and \$5000 for concrete, along with city labor.

Larry Paine, City Manager, advised the Commission the following two (2) items would be on the next city commission meeting:

Ordinance – Pit Bull - draft
Rules and Procedures

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 15, 2004

The governing body met in regular session on September 15, 2004 at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Slaughter, Hosie, Baumann, and Jindra.

Absent: Commissioner Strecker.

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

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

Visitors: Burl Maley, Jessica LeDuc, Larry Remmenga, Jeff Stricklin, Ron Thomas, Jim Murk, Tony Kennedy, Christopher Kennedy, Alfreda Maley, Raye Crane, Randy_____, Ron Copple, Ron Deal, LaRae Naylor, Norris Anderson, and Kirk Lowell.

Associate Pastor John Ward, Baptist Church, provided the invocation before the city commission meeting.

Commissioner Slaughter moved to approve the September 1, 2004 regular meeting as written. Commissioner Jindra seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 17

APPROVED

Commissioner Slaughter moved to approve Appropriation Ordinance No. 17. Commissioner Baumann seconded. Motion carried.

PUBLIC COMMENTS

There were no public comments.

BIG BROTHER/BIG SISTER PRESENTATION

City Manager Paine advised Ms. Cripe was unable to make the meeting and this would be rescheduled.

HEARTLAND AUTO CLUB PRESENTATION

Ron Thomas, member of Heartland Auto Club, stated the Club had some concerns regarding the abandoned vehicle ordinance. Mr. Thomas stated the Club would like the City Commission to review the ordinance and amend the ordinance to reflect an option for amnesty. Amnesty would be for a citizen that was restoring a vehicle.

Commissioner Hosie stated the intent of the ordinance was not to get rid of the vehicles that were being restored. He would like to see the staff and members of the Club work together on the guidelines.

RESOLUTION NO. 2004-1548

(AUTHORIZATION TIF -SHADY LAKE PROPERTY)

APPROVED

Thereupon there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY FINDS IT ADVISABLE TO CONSIDER THE FEASIBILITY OF ESTABLISHING A REDEVELOPMENT PROJECT WITHIN CONCORDIA REDEVELOPMENT DISTRICT 2000 FOR THE PURPOSE OF UNDERTAKING CERTAIN IMPROVEMENTS, INCLUDING BUILDING DEMOLITION, EARTH FILL AND OTHER SITE PREPARATION AND CONSTRUCTION OF A RETAINING WALL, ALL ON REAL ESTATE DESCRIBED AS.

Thereupon, Commissioner Jindra moved that said Resolution be adopted. The motion was seconded by Commissioner Slaughter. 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 Baumann, Jindra, Hosie and Slaughter.

No: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1548 was signed and approved by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 15, 2004, contd.

**RESOLUTION NO. 2004-1549 – 319 E. 11TH
NUISANCE ABATEMENT ASSESSMENT - HUD**

APPROVED

Thereupon there was presented a Resolution entitled:

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF 319 E 11TH WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$432.34.

Thereupon, Commissioner Jindra moved that said Resolution be passed. The motion was seconded by Commissioner Slaughter. 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 Baumann, Jindra, Hosie and Slaughter.

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2004-1549 was signed and approved by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1550 – 1202 OLIVE
NUISANCE ABATEMENT ASSESSMENT – BARBARA HAMILTON**

APPROVED

Thereupon there was presented a Resolution entitled:

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF 1202 OLIVE WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$236.09.

Thereupon, Commissioner Slaughter moved that said Resolution be passed. The motion was seconded by Commissioner Baumann. 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 Baumann, Jindra, Hosie and Slaughter.

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2004-1550 was signed and approved by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1551 – 429 E. 2ND
NUISANCE ABATEMENT ASSESSMENT – CONNIE J. ALLEN**

APPROVED

Thereupon there was presented a Resolution entitled:

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF 429 E 2ND WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$425.93.

Thereupon, Commissioner Hosie moved that said Resolution be passed. The motion was seconded by Commissioner Baumann. 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 Baumann, Jindra, Hosie and Slaughter.

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2004-1551 was signed and approved by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 15, 2004, contd.**RESOLUTION NO. 2004-1552 – 604 W. 6TH
NUISANCE ABATEMENT ASSESSMENT – MATTHEWS/KEY****APPROVED**

Thereupon there was presented a Resolution entitled:

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF 604 W 6TH
WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE
TO BE ABATED AT A COST OF \$425.93.

Thereupon, Commissioner Baumann moved that said Resolution be passed. The motion was seconded by Commissioner Jindra. 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 Baumann, Jindra, Hosie and Slaughter.

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2004-1552 was signed and approved by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1553 – 219 W. 3rd
NUISANCE ABATEMENT- GEORGE SCHOENBRUNN/KENDALL****APPROVED**

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT
THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: LOT
16, BLOCK 178, ORIGINAL TOWN, CONCORDIA, KANSAS (219 W. 3RD)

Thereupon, Commissioner Jindra moved that said Resolution be adopted. The motion was seconded by Commissioner Slaughter. 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 Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1553 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1554 – 3RD & VALLEY
NUISANCE ABATEMENT- KYLE RAILROAD****APPROVED**

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT
THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: 3RD &
VALLEY (RAILROAD PROPERTY)

Thereupon, Commissioner Slaughter moved that said Resolution be adopted. The motion was seconded by Commissioner Jindra. 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 Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1554 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1555 – 712 FIRST AVE
NUISANCE ABATEMENT- VIRGINIA M. BACHAND TRUST****APPROVED**

Thereupon, there was presented a Resolution entitled:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 15, 2004, contd.

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: LOTS 19-35 & W. 12' OF LOT 36 & S2 OF VACATED ALLEY, BLOCK 158, ORIGINAL TOWN, CONCORDIA, KANSAS (712 FIRST AVE.)

Thereupon, Commissioner Baumann moved that said Resolution be adopted. The motion was seconded by Commissioner Slaughter. 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 Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1555 and was signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Slaughter asked if the city had received any of the new vehicles and to remind everyone the Brown Grand is having their 97th Birthday open house on Friday.

Commissioner Hosie asked about 1st Street. Ron Copple, Director of Public Works, advised the department would be pouring the radius tomorrow or next week.

STAFF COMMENTS

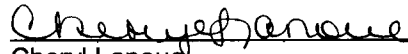
City Manager Paine advised the city commission there was a spreadsheet of equipment the Fire Department received from the Emergency Preparedness Grant with Homeland Security. Mr. Paine stated Cebridge would be reopening the office and there would be introductory rates available.

Mr. Paine asked if there could be a study session on September 29th to review a development agreement.

Mayor Hosie announced the city commission would be attending the intergovernmental meeting on September 20, 2004 at 6:00 p.m. at Jamestown.

Mayor Hosie stated there would be a study session following the meeting.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 6, 2004

The governing body met in regular session on October 6, 2004 at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Slaughter, Hosie, Baumann and Jindra.

Absent: Commissioner Strecker.

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

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

Visitors: Burl Maley, Larry Remmenga, Jeff Stricklin, John States, Bruno Rehbein, Tom & Suzy Tuggle, Don Dean, Ron Copple, Ron Deal, Dan McReynolds, Jeannie Wilson, Cheri Wilson, Judy Ray, Jake & Jean Swiercinsky, Paul Moon, Dean & Diane Hinson, Bea Lewis, Kirk Lowell, LaRae Naylor, Amy Watowa, Jim Jensen, Raye Crane, Wanda & Brenton Phillips, Travis Palmer, Sharon Coy, Brian Strait and Steve & Dana Nelson.

Pastor John States, First Christian Church, provided the invocation before the city commission meeting.

Minutes of the September 15, 2004 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 18

APPROVED

Appropriation Ordinance No. 18 was approved according to law.

PUBLIC COMMENTS

LaRae Naylor stated she was born and raised in Concordia and her dogs are part of her family. Ms. Naylor was wondering if what this was coming down to was dogs and people with bad names. She asked the commission to look at the big picture and not to take her rights as a dog owner and citizen away.

Tom Tuggle stated he was representing his wife and himself. Mr. Tuggle felt what he was about to present to the commission was the views of the neighborhood around the 300 Block of West 9th. Mr. Tuggle stated he would like the city commission to consider:

1. Community input on the text amendment to allow Bed & Breakfast in an R-1 and R-2.
2. The uses of the R-1 and R-2 should be revisited or reviewed.
3. Bed & Breakfast in a Residential district is defined. Mr. Tuggle stated when they bought their home it was a great neighborhood and they would like to keep it that way.

Ray Crane stated that doing a dog breed band would make the citizens in the community think they are safer. Ms. Crane stated 27% of dog bites came from German Shepherds not Pit Bulls or Rottweilers. Ms. Crane said individuals have a right to have their dogs and to continue to own their own dog. Ms. Crane asked the Commission not to punish the owners of these dogs but to put a restriction in place and not ban the Pit Bulls and Rottweilers.

Jean Swiercinsky stated parking in the neighborhood is tight and the alley is narrow. Mrs. Swiercinsky stated she didn't like the fact that any large house in an R 1 could be a Bed & Breakfast.

Amy Watowa stated she has a 9½ year old Rottweiler and it is part of her family. If the commission passes the regulation on the dogs she will have to move out of Concordia. Ms. Watowa stated she felt smaller dogs are more aggressive.

Judy Ray asked the Commission to carefully consider the text amendment.

Steve Nelson asked the Commission to revisit the text amendment and the conditional use permits.

BIG BROTHER/BIG SISTER PRESENTATION

John States presented facts on Big Brothers/Big Sisters of Cloud County. Mr. States stated the mission of Big Brothers/Big Sisters is to help boys and girls achieve their full potential through long-term personal relationships with carefully screened and caring volunteers. Mr. States advised that BBBS does not receive any grant money it is all local sponsorships/donations. States stated it takes approximately \$1,000 to match a Big Brother/Big Sister with a child.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 6, 2004, contd.

ACCEPT BID – BROWN GRAND PARKING LOT

SOLT CONSTRUCTION

Ron Copple, Public Works Director, advised the commission the city received five (5) bids for the CDBG Grant for Downtown Revitalization for the Brown Grand parking lot. The bids are as follows:

<u>BIDDER</u>	<u>TOTAL BID</u>
Bryant & Bryant Const.	\$45,097.00
Budreau Construction	\$48,442.23
Smoky Hill, LLC	\$54,306.00
Solt Construction	\$34,045.53
Wrench Construction	\$44,290.00
Engineer's Estimate	\$46,730.00

Following discussion, Commissioner Jindra moved to accept the low bid from Solt Construction, Inc. through Hood Heating Air Plumbing & Electric in the amount of \$34,045.53 with the work being completed between October 20, 2004 and November 20, 2004. Commissioner Slaughter seconded. Motion carried.

ACCEPT BID ON 21ST PROJECT

BRYANT & BRYANT CONST., INC.

Don Dean, Campbell & Johnson, advised the commission the city received a total of three (3) bids for the 21st Street project. The following are the three bids received.

<u>BIDDER</u>	<u>BASE BID</u>	<u>ALT #1</u>	<u>TOTAL</u>
Smoky Hill, LLC	\$115,845.60	\$6,457.50	\$122,303.10
Wrench Construction	92,659.00	8,332.00	100,991.00
Bryant & Bryant Const., Inc.	74,910.50	4,989.00	79,899.50
Engineer's Estimate	\$ 82,978.70	\$5,940.00	\$ 88,918.70

Following discussion, Commissioner Slaughter moved to accept the bid from Bryant & Bryant Const., Inc. in the amount of \$74,910.50, with the start date of May 1, 2005 and the job being completed by July 1, 2005. Commissioner Baumann seconded. Motion carried.

APPROVE CONTRACT FOR PLANNING SERVICES – LANDPLAN ENGINEERING

City Manager Paine presented a contract for planning services with Landplan Engineering to consult on the Highway 81 corridor rezoning. Commissioner Hosie moved to authorize the City Manager to negotiate with Landplan Engineering for the rezoning of the Highway 81 corridor. Commissioner Jindra seconded. Motion carried.

RESOLUTION NO. 2004-1556 – CODE & PROCEDURES

APPROVED

Commissioner Baumann asked what the difference between the one he received in his packet and the one mailed to him. City Manager Paine advised Section 21 had wording changes.

Thereupon, there was presented a Resolution entitled:

A RESOLUTION ESTABLISHING A CODE OF PROCEDURES FOR THE CONDUCT OF CITY COMMISSION MEETINGS.

Thereupon, Commissioner Jindra moved that said Resolution be adopted. The motion was seconded by Commissioner Baumann. 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 Hosie, Baumann, Jindra, Strecker and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1556 and was signed by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 6, 2004, contd.

**RESOLUTION NO. 2004-1557 – 1301 BROADWAY
NUISANCE ABATEMENT- UNITED BANK & TRUST**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: BEGINNING 10' W OF PT 84' S. OF PT OF INTER MADE BY E LI OF BROADWAY ST. & N. LI OF SE4 OF NW4; TH S78', E96', N78', W96' TO POB, 1301 BROADWAY

Thereupon, Commissioner Hosie moved that said Resolution be adopted. The motion was seconded by Commissioner Jindra. 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 Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1557 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1558 – 309 CEDAR
NUISANCE ABATEMENT- BNSF RAILROAD**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: 309 CEDAR (NO LEGAL) (BNSF)

Thereupon, Commissioner Jindra moved that said Resolution be adopted. The motion was seconded by Commissioner Baumann. 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 Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1558 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1559 – 221 W. 3RD
NUISANCE ABATEMENT- ROBER J., FRED E. & NADIA J. HALE**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: LOT 15, BLOCK 178, ORIGINAL TOWN, CONCORDIA (221 W. 3RD)

Thereupon, Commissioner Baumann moved that said Resolution be adopted. The motion was seconded by Commissioner Slaughter. 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 Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1559 and was signed by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 6, 2004, contd.

**RESOLUTION NO. 2004-1560 – 233 W 3RD
NUISANCE ABATEMENT- LIZZIE KENDALL**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: E. 4' OF LOT 11 & W. 42' OF LOT 12, BLOCK 178, ORIGINAL TOWN, CONCORDIA (233 W. 3RD)

Thereupon, Commissioner Jindra moved that said Resolution be adopted. The motion was seconded by Commissioner Slaughter. 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 Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1560 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1561 – 4TH & VALLEY
NUISANCE ABATEMENT- KYLE RAILROAD**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: 4TH & VALLEY (KYLE RAILROAD PROPERTY)

Thereupon, Commissioner Slaughter moved that said Resolution be adopted. The motion was seconded by Commissioner Baumann. 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 Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1561 and was signed by the Mayor and attested by the Clerk.

ORDINANCE NO. 2004-2877 - 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 2001, WITH CERTAIN OMISSIONS, AMENDMENTS, AND ADDITIONAL PROVISIONS; PROVIDING CERTAIN 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 Slaughter moved that said Ordinance be adopted. The motion was seconded by Commissioner Baumann. 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 Hosie, Slaughter, Baumann and Jindra.

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. 2004-2877 and was signed by the Mayor and attested by the clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 6, 2004, contd.**ORDINANCE NO. 2004-2878 - 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 2001, 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 Hosie moved that said Ordinance be adopted. The motion was seconded by Commissioner Jindra. 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 Hosie, Slaughter, Baumann and Jindra.

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. 2004-2878 and was signed by the Mayor and attested by the clerk.

**ORDINANCE NO. 2004-2879 – BED & BREAKFAST
TEXT AMENDMENT - ZONING ORDINANCE****APPROVED**

Bruno Rehbein, Building Inspector, advised the commission the ordinance before them was a text amendment to the zoning regulations. Mr. Rehbein presented the Planning Commission minutes and advised the Planning Commission is recommending the text amendment. This would enable property owners to apply for a conditional use permit for a Bed & Breakfast in an R 1 or R 2 district.

Commissioner Bauman stated the area in question (330 W 9th) does not have enough parking during school events and asked if requirements regarding parking have been considered.

Commissioner Baumann moved to refer the Text Amendment Ordinance back to the Planning Commission. Motion died for a lack of a second.

Mr. Rehbein stated the requirements for parking are the property owner would have to have off street parking of four stalls. Mr. Rehbein stated he believed the address at 330 W. 9th has the parking.

Commissioner Jindra thanked everyone for their comments and the work done by the Planning Commission. Commissioner Jindra stated he would not have a problem with a Bed & Breakfast in his neighborhood.

Thereupon, there was presented an Ordinance entitled:

THE GOVERNING BODY FINDS THAT PURSUANT TO SECTION 26-104(A) OF THE ZONING REGULATIONS FOR THE CITY OF CONCORDIA, KANSAS, THE PLANNING COMMISSION OF THE CITY OF CONCORDIA, AFTER NOTICE AND PUBLIC HEARING PURSUANT TO SECTIONS 26-102 AND 26-103 OF THE ZONING REGULATIONS, HAS RECOMMENDED TO THE GOVERNING BODY OF THE CITY OF CONCORDIA THE ADOPTION OF THE FOLLOWING AMENDMENTS TO THE ZONING REGULATIONS.

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

Aye: Commissioners Jindra, Hosie and Slaughter.

Nay: Commissioner Baumann

Thereupon, the Ordinance having been adopted by vote of the members of the City Commission it was given No. 2004-2879, and was directed to be signed by the Mayor and attested by the City Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 6, 2004, contd.

ORDINANCE - DANGEROUS DOGS

REFERRED BACK TO STAFF

Larry Uri, City Attorney presented an Ordinance regulating dangerous dogs.

Commissioner Baumann stated he felt the city should look at the vicious dog laws.

Following discussion, Commissioner Slaughter moved to refer the ordinance back to staff. Commissioner Baumann seconded. Motion carried.

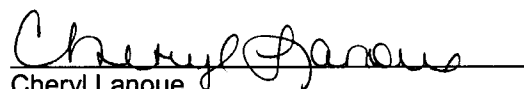
MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Baumann stated 1st Street Project looks great and would encourage everyone to look at the project.

STAFF COMMENTS

None.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 20, 2004

The governing body met in regular session on October 20, 2004 at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Slaughter, Hosie, Baumann, Strecker, and Jindra.

Absent: None.

Other Officers: City Clerk Lanoue and City Attorney Uri.

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

Visitors: Jessica LeDuc, Larry Remmenga, Armand Balthazor, Ron Deal, Dave Aggson, Denise DeRocheFort-Reynolds, Roberta Lowrey, Bill Boyles, and Brian Strait.

Pastor Bill Boyle, New Horizon Community Church, provided the invocation before the city commission meeting.

Minutes of the October 6, 2004 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 19

APPROVED

Commissioner Hosie moved to approve Appropriation Ordinance No. 19, with the exception of CK#42461 for \$122.33 to Dean Boyles. Commissioner Strecker seconded. Motion carried.

THIRD QUARTER INVESTMENT REPORT

ACCEPTED

City Clerk Lanoue presented the third quarter investment report per Ordinance No. 1860. Total interest for the third quarter in 2004 was \$17,410.39 compared to \$16,582.02 for 2003. Commissioner Strecker moved to place on file the third quarter investment report. Commissioner Baumann seconded. Motion carried.

PROCLAMATION – CHANGE YOUR CLOCKS/CHANGE YOUR BATTERY

Mayor Hosie read a proclamation and declared October 31, 2004 as "Change your Clock, Change your Battery Day".

PLANNING COMMISSION APPOINTMENTS

MELVIN DAVENPORT & SUZANNE TUGGLE

Bruno Rehbein advised the commission the terms of Melvin Davenport and Tom Simoneau will expire on 11-1-04. Melvin Davenport submitted an Expression of Interest form and indicated a willingness to serve another term on the Planning Commission. Tom Simoneau has decided not to seek another term. Suzanne Tuggle has filed an Expression of Interest form to serve on the Planning Commission. Commissioner Strecker moved to reappoint Melvin Davenport to another three (3) year term and Suzanne Tuggle to her first three (3) year term on the Planning Commission, with their terms ending November 1, 2007. Commissioner Slaughter seconded. Motion carried.

PUBLIC COMMENTS

Armand Balthazor did not understand why the commission does not do what the individuals in the neighborhood want regarding the proposed bed & breakfast.

FRANK CARLSON LIBRARY UPDATE

DENISE DEROCHEFORT-REYNOLDS

Denise DeRocheFort-Reynolds informed the commission the library will be replacing the carpet beginning November 30th for approximately 10 days. The library will be closed. Square One Carpet will be doing the installation and also moving the shelves. The cost of replacing the 28 year old carpet is \$41,000.

RESOLUTION NO. 2004-1562 – 115 E. 13TH NUISANCE ABATEMENT ASSESSMENT – FASTENAL

APPROVED

Thereupon there was presented a Resolution entitled:

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF 115 E. 13TH WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$67.34.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 20, 2004, contd.

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

Yes: Commissioners Baumann, Jindra, Strecker, Hosie and Slaughter.

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2004-1562 was signed and approved by the Mayor and attested by the Clerk.

RESOLUTION NO. 2004-1563 – 236 W. 2ND NUISANCE ABATEMENT- JEROME & MELISSA BISNETTE

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: LOTS 8, 9, & 10, BLOCK 178, CONCORDIA ORIGINAL TOWN (236 W. 2ND)

Thereupon, Commissioner Strecker moved that said Resolution be adopted. The motion was seconded by Commissioner Slaughter. 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 Hosie, Baumann, Strecker, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1563 and was signed by the Mayor and attested by the Clerk.

ORPHAN TRAIN MUSEUM APPLICATION FOR TEA-21 GRANT

REFERRED TO NEXT MEETING

Larry Uri, City Attorney, advised he had talked to Sue Sutton and the resolution is not ready for the commission to take action on tonight, but will be ready by the next meeting. Commissioner Baumann moved to refer the Resolution - Orphan Train Museum Application for Tea-21 Grant to the next meeting. Commissioner Strecker seconded. Motion carried.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

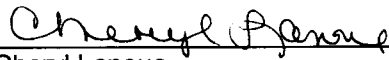
Commissioner Strecker asked if the 11th Street waterline project was complete. Larry Remmenga, Director of Utilities, advised it was complete with two (2) change orders. Mr. Remmenga stated city crews were raking and seeding the area.

Commissioner Slaughter stated the skate board park is busy after school and on the weekends.

STAFF COMMENTS

Larry Remmenga, Director of Utilities, advised the wastewater project is complete but the city has not accepted the project yet.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 3, 2004

The governing body met in regular session on November 3, 2004 at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Slaughter, Hosie, Baumann, Strecker, and Jindra.

Absent: None.

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

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

Visitors: Burl Maley, Jessica LeDuc, Larry Remmenga, Eric Johnson, Dallas Nading, Holly Andrews, Susan Sutton, Danielle McCrary, Carol String, Ron Copple, Ron Deal, Tony and Jill Blochlinger, Roberta Lowery, Linda Houser, Larry Eubanks, Eric Gilliland and Spencer Brown.

Mayor Hosie asked if there were any changes to the Agenda. There being none, the meeting proceeded.

Minutes of the October 20, 2004 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 20

APPROVED

Commissioner Jindra moved to approve Appropriation Ordinance No. 20, along with CK#42461 for \$122.33 to Dean Boyles. Commissioner Slaughter seconded. Motion carried.

PUBLIC COMMENTS

Tony Blochlinger stated two (2) years ago he meet with the City, County Commissioners and property owners regarding the dams for south of Concordia. Mr. Blochlinger stated early this year the City proceeded with the acquisition of land from Mr. Blosser. On the 1st of April he met with Larry Paine and Larry Uri and discussed what would be happening on his land. Mr. Blochlinger was advised one piece of land does not work without the other. Mr. Blochlinger stated his problem is he wants to market the ground, but does not know what to tell prospective owners about the dam. He would like to move this project along, if possible.

City Manager Paine stated the COR of Engineers would be reanalyzing the project, but currently they do not have a budget.

Mr. Blochlinger asked if he could expect an answer or more waiting.

Commissioner Hosie stated there should be an answer before long.

RESOLUTION NO. 2004-1564

ORPHAN TRAIN MUSEUM APPLICATION FOR TEA-GRANT

PASSED

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DECLARING THE ELIGIBILITY OF THE CITY OF CONCORDIA, KANSAS 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 THE 21ST CENTURY FOR THE NATIONAL ORPHAN TRAIN MUSEUM INC. PROJECT IN THE CITY OF CONCORDIA, KANSAS, AND AUTHORIZING THE CITY MANAGER TO SIGN THE APPLICATION.

Thereupon, Commissioner Jindra moved that said Resolution be adopted. The motion was seconded by Commissioner Slaughter. 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 Slaughter, Jindra, Baumann, Hosie and Strecker.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1564 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2004-1565 – 604 WILLOW

NUISANCE ABATEMENT ASSESSMENT - KEY/MATTHEWS

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF (604 W. 6TH) WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$155.42.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 3, 2004, contd.

Thereupon, Commissioner Hosie moved that said Resolution be adopted. The motion was seconded by Commissioner Slaughter. 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 Hosie, Baumann, Strecker, Jindra and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1565 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2004-1566 – 323 E. 12TH
NUISANCE ABATEMENT ASSESSMENT - EATON**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF (323 E. 12th) WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$221.09.

Thereupon, Commissioner Jindra moved that said Resolution be adopted. The motion was seconded by Commissioner Slaughter. 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 Hosie, Baumann, Jindra, Strecker and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2004-1566 and was signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Mayor Hosie stated he would like to attend the Regional Meeting by the League on November 17, 2004 in Belleville, which is in conflict with the city commission meeting. Commissioners Slaughter, Jindra and Strecker also stated they would attend.

Commissioner Strecker moved to change the commission meeting to November 18, 2004 at 7:30 p.m., in the City Commission Room. Commissioner Jindra seconded. Motion carried.

Commissioner Jindra asked for a progress report on Hill Street. Mr. Paine stated we will be working on an agreement between the city and county to asphalt Hill Street. Commissioner Jindra asked for a list of unpaved/gravel roads.

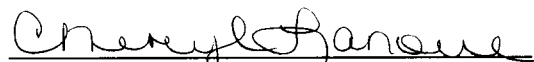
STAFF COMMENTS

City Manager Paine advised he was working on Development Agreements.

Ron Copple, Director of Public Works, updated the Commission on the parking lot at the Brown Grand and the 1st Street Project.

Mayor Hosie stated there would a study session following the meeting.

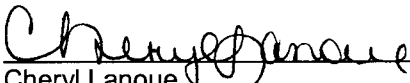
There being no further business, Commissioner Strecker moved to adjourn the meeting to November 18, 2004 at 7:30 p.m. in the City Commission room. Commissioner Jindra seconded. Motion carried.


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 17, 2004

There was not a quorum present.


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 1, 2004

The governing body met in regular session on December 1, 2004 at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Slaughter, Hosie, Baumann, Strecker, and Jindra.

Absent: None.

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

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

Visitors: Burl Maley, Jessica LeDuc, Larry Remmenga, Ron Copple, Ron Deal, Roy Leif, Jeff Stricklin, Kirk Lowell, Joe Breault, and John States.

Commissioner Jindra moved to approve the minutes of the November 17, 2004 regular meeting as written. Commissioner Slaughter seconded. Motion carried.

Commissioner Jindra moved to approve the minutes of the November 18, 2004 adjourned meeting as written. Commissioner Slaughter seconded. Motion carried.

Pastor John States, First Christian Church, provided the invocation before the city commission meeting.

There were no additions or deletions to the Agenda.

APPROPRIATION ORDINANCE NO. 22

APPROVED

Commissioner Slaughter moved to approve Appropriation Ordinance No. 22. Commissioner Jindra seconded. Motion carried.

PUBLIC COMMENTS

There were no public comments.

DESIGNATION OF OFFICIAL DEPOSITORIES

APPROVED

Commissioner Strecker moved to authorize The Citizens National Bank, UMB, United Bank and Peoples Exchange Bank the official depositories for 2005. Commissioner Jindra seconded. Motion carried.

AFFIRMATION OF EXEMPT PROPERTY STATUS FOR IRB CERTIFICATIONS

City Manager Paine stated the commission is required each year to affirm the tax exempt status for the businesses that have used Industrial Revenue Bonds to insure the use of the property and other criteria of the business continue to exist. Commissioner Slaughter moved to affirm the Industrial Revenue Bond Certification on Alstrom Air Preheater, F & A Food Sales, Inc., Marquis Place of Concordia, LLC, and Mount Joseph Senior Village, LLC and direct the city clerk to notify the Division of Property Values. Commissioner Strecker seconded. Motion carried.

CLOUDCORP FUNDING AGREEMENT

APPROVED

Kirk Lowell, CloudCorp, presented CloudCorp's annual funding agreement. Commissioner Jindra moved to approve CloudCorp Funding Agreement for 2005, for \$45,000.00. Commissioner Slaughter seconded. Motion carried.

SET PUBLIC HEARING FOR BUDGET AMENDMENT

DECEMBER 15, 2004

Commissioner Jindra moved to set the budget amendment public hearing date as December 15, 2004 at 5:30 p.m. Commissioner Slaughter seconded. Motion carried.

DOWNTOWN REVITALIZATION BUDGET AMENDMENT

APPROVED

City Manager Paine advised the City Commission the city is requesting more funds for parking improvements than originally budgeted. The City has used fewer dollars for sidewalk improvements than initially set forth and legal cost have been zero. The City is requesting the legal budget and some of the sidewalk improvements be moved to parking improvements budget. Following discussion, Commissioner Strecker moved to authorize the Mayor to sign the request for the budget amendment. Commissioner Hosie seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 1, 2004, contd.

RESOLUTION NO. 2004-1567

B & B THEATERS, DBA CONCORDIA CINEMA LLC

APPROVED

Mayor Hosie stated he had a financial interest in the B & B Theaters and will remove himself from today's discussion and any future discussion. Mayor Hosie left the room.

Mayor Pro-Tem Jindra presented to the City Commission a Resolution entitled:

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS STATING THAT THE GOVERNING BODY FINDS IT ADVISABLE TO ESTABLISH A REDEVELOPMENT PROJECT WITHIN CONCORDIA REDEVELOPMENT DISTRICT 2000 FOR THE PRPOSE OF UNDERTAKING CERTAIN IMPROVEMENTS, INCLUDING BUILDING DEMPLITION, SITE PREPARATION, AND CONSTRUCTION OF SIDEWALKS AND A PUBLIC PARKING LOT AND RELATED IMPROVEMENTS ON REAL ESTATE.

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

Aye: Commissioners Strecker, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2004-1567, and was directed to be signed by the Mayor Pro-Tem and attested by the City Clerk.

RESOLUTION NO. 2004-1568
DEVELOPMENT AGREEMENT –
WOMACK SUNSHINE FORD

APPROVED

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

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS STATING THAT THE GOVERNING BODY FINDS IT ADVISABLE TO ENTER INTO A DEVELOPMENT AGREEMENT FOR THE PURPOSE OF UNDERTAKING CERTAIN IMPROVEMENTS, INCLUDING SITE PREPARATION, UTILITY CONNECTIONS, ENTRANCEWAY, WIDENING OF INTERSECTION, AND RELATED IMPROVEMENTS, AS A PART OF THE SKYLINE II REDEVELOPMENT PROJECT OF CONCORDIA REDEVELOPMENT DISTRICT 2000.

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

Aye: Commissioners Strecker, Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2004-1568, and was directed to be signed by the Mayor and attested by the City Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Jindra thanked Kirk Lowell for his work on the 1st Street grant.

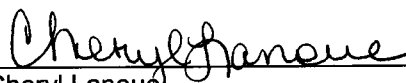
Commissioner Hosie thanked the Womack's for their future development.

STAFF COMMENTS

Larry Paine, City Manager, stated Larry Remmenga prepared a summary of the 11th Street waterline and wastewater project.

Mayor Hosie announced there would be a study session following the regular meeting.

Commissioner Jindra moved to adjourn the meeting. Commissioner Slaughter seconded. Motion carried.


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 15, 2004

The governing body met in regular session on December 15, 2004 at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Slaughter, Hosie, Baumann, Strecker, and Jindra.

Absent: None.

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

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

Visitors: Burl Maley, Jessica LeDuc, Larry Remmenga, Ron Copple, Ron Deal, Roberta and Richard Lowrey, Armand Balthazor, Ray Crane, Jeff Stricklin, John States, Dale & Verna Ferguson, Kirk Lowell, Isadore Bombardier, Cheri Wilson, Jeannie Wilson, Oliver & Sue Ebbesson, Joe Breault, Dan McReynolds, Sarah Holbert, Mark Paul, Roy Reif, Steve Womack, Brad Swihart, and Darrin Russell.

Pastor John States, First Christian Church, provided the invocation before the city commission meeting.

There were no additions or deletions to the Agenda.

Commissioner Strecker moved to approve the minutes of the December 1, 2004 meeting as written. Commissioner Jindra seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 23

APPROVED

Commissioner Slaughter moved to approve Appropriation Ordinance No. 23. Commissioner Jindra seconded. Motion carried.

HOUSING AUTHORITY – APPOINTMENTS

CONNIE ANDERSON & JOHN DAVIS

City Manager Paine stated Connie Anderson and John Davis have indicated a willingness to be reappointed to the Housing Authority. Commissioner Jindra moved to reappoint Connie Anderson and John Davis to four (4) year terms from 1-1-05 to 12-31-08. Commissioner Slaughter seconded. Motion carried.

PUBLIC COMMENTS

Armand Balthazor stated from 1999-2003 the city's budget was under by two and half million, where did the money go?

Mayor Hosie stated there is a line called unencumbered cash and the money goes back in the budget.

Dale Ferguson stated he was in favor of the Resolution, which authorized the development agreement between the city and Concordia Cinema Company Development. Mr. Ferguson understands that if there is a petition filed this could hold up the project and he encouraged the commission the community wants and needs this project and to move forward.

Ray Crane said the ordinance before the city commission was well drafted, except she had a couple of questions as follows:

- Who would be defining the breed of the dog?
- The ten-day register she would like to see as thirty.
- She believed the microchip was a great idea as long as the city had a way to read them.

Brad Swihart was here for his mother and father, Rex & Audrey Swihart, which own the property at 132 W 10th. Mr. Swihart stated they are going to fix up the property, but have not had time.

Roy Reif stated he was in support of using TIF monies for the Theatre project. Mr. Rief stated there was no free TIF money, but tax dollars.

Verna Ferguson said she was in support of TIF monies for the Theatre project.

Roberta Lowrey, Chamber President, stated the community needs the Theatre project and let's keep the local dollars in the community.

Isadore Bombardier stated he was in support of TIF monies for the Theatre project.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 15, 2004, contd.PUBLIC HEARING – 2004 BUDGET AMENDMENTHELD

Mayor Hosie opened the 2004 budget amendment hearing as required by state statute.

City Manager Paine stated each year there is always a possibility for projects to exceed authorized expenditures. The General and Utility Funds require the budget amendment. During 2004, the city acquired land near Wal-Mart and borrowed the money from the General and Utility Funds. Once permanent financing is done the monies will go back to the General and Utility Funds.

Mr. Balthazor asked if TIF was paying for this.

City Manager Paine advised the permanent financing would be done with TIF revenues.

Mr. Balthazor stated he felt this should be put to a vote of the citizens.

Mayor Hosie closed the public hearing.

AMENDMENT TO 2004 BUDGET

Commissioner Strecker moved to adopt the 2004 amended budget. Commissioner Jindra seconded. Motion carried.

PHASE TWO – GOLD THOMEN PROJECTAPPROVED

City Manager Paine advised CloudCorp is asking for the City's commitment on the second phase, with Gold Thomen. The commitment would be \$5,000 paid out of the 2005 budget.

Kirk Lowell, CloudCorp, advised the commission phase 1 of the project has been completed, which was categorizing of the businesses, along with that the city ended up with a couple of prospects. Phase 2 would be strategic planning (what we are willing to do or not do). Phase 3 would be project by project and a pay as you go. Mr. Lowell showed the cost of what it cost to advertise in a magazine one time, \$4,690. Following discussion, Commissioner Jindra moved to approve the Gold Thomen allocation of \$5,000 for the 2005 budget year. Commissioner Strecker seconded. Motion carried.

RESOLUTION NO. 2004-1569
CONCORDIA CINEMA COMPANY, LLC.
DEVELOPMENT AGREEMENT

PASSED

Mayor Hosie stated he had a conflict of interest in that he has an investment agreement with Richard Lowrey, which is more than \$5,000. Mayor Hosie left the room.

Mayor Pro Tem Jindra proceeded with the resolution before the governing body.

City Manager Paine advised the TIF monies would be used for demolition, parking lot, etc. The initial analysis has been done and the project could be paid without that property's increment.

City Attorney Uri stated the City Commission does not have the authority to put this to a vote, only if there is a sufficient protest petition. Mr. Uri stated the Commission could elect to go forward with the project but pay for it through GO bonds or temporary financing, if there was a protest petition. Mr. Uri stated this resolution only authorizes the development agreement.

Kirk Lowell, CloudCorp, stated there was \$490,000 public investment, \$640,000 private investment and \$695,000 B&B Theatre investment, backed by the local banks. Mr. Lowell stated the last movie shown in Concordia was on July 12, 2002, hopefully next year at this time Concordia will have a four screen movie theatre, with movies showing every day. The developer is not asking for a tax abatement. All \$400,000 in equipment will go on the tax roles. Currently the Appraised Value for the three pieces of property is \$16,700, with tax value of \$757.

Thereupon, there was presented a Resolution entitled:

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS FINDS IT ADVISABLE TO ESTABLISH A REDEVELOPMENT PROJECT WITHIN CONCORDIA REDEVELOPMENT DISTRICT 2000 FOR THE PURPOSE OF UNDERTAKING CERTAIN IMPROVEMENTS, INCLUDING SITE PREPARATION, UTILITY CONNECTIONS, ENTRANCEWAY, WIDENING OF INTERSECTION AND RELATED IMPROVEMENTS ON A TRACT OF REAL ESTATE.

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

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 15, 2004, contd.

Aye: Commissioners Strecker, Baumann, Jindra and Slaughter.

Nay: None.

Abstention: Commissioner Hosie.

Thereupon, the Resolution having been approved by the members of the City Commission, it was given No. 2004-1569, and was directed to be signed by the Mayor Pro Tem, attested by the City Clerk.

**RESOLUTION NO. 2004-1570
SET PUBLIC HEARING – 227 E. 6TH**

PASSED

Larry Uri, City Attorney, stated the next two resolutions set public hearing dates so the property owners and anyone that may have ownership in the property can come forward to state their case. The public hearing would be February 16, 2005. There will be notification sent out by the Clerk's office.

Thereupon, there was presented a Resolution entitled:

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS WHERE 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 227 E 6TH IS UNSAFE AND DANGEROUS.

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

Aye: Commissioners Strecker, Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Resolution having been approved by the members of the City Commission, it was given No. 2004-1570, and was directed to be signed by the Mayor, attested by the City Clerk.

**RESOLUTION NO. 2004-1571
SET PUBLIC HEARING – 132 W. 10TH**

PASSED

Thereupon, there was presented a Resolution entitled:

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS WHERE 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 132 W 10TH IS UNSAFE AND DANGEROUS.

Thereupon, Commissioner Slaughter 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 approval was carried by the vote of the governing body, the vote being as follows:

Aye: Commissioners Strecker, Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Resolution having been approved by the members of the City Commission, it was given No. 2004-1571, and was directed to be signed by the Mayor, attested by the City Clerk.

**ORDINANCE NO. 2004 – 2880
DANGEROUS DOG**

APPROVED

Mr. Uri advised the commission of the changes that were made from the previous ordinance and also addressed Ms. Crane's questions. The defining of the breed would be done by the City Judge, changing the ten days to thirty he did not have a problem with and the microchip the city would have to purchase a piece of equipment.

Jeannie Wilson, Animal Control Officer, stated she had priced the equipment and the cost is from \$350 and up.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 15, 2004, contd.

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE PROVIDING FOR THE REGULATION OF DANGEROUS DOGS WITHIN THE CITY OF CONCORDIA, KANSAS, AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW DIVISION, TO BE IDENTIFIED AS DIVISION 4, TO CHAPTER 4.

Thereupon, Commissioner Jindra moved that said Ordinance be adopted, with section 4-187, 1. Registration, reflecting the thirty-day effective date, instead of ten days. The motion was seconded by Commissioner Slaughter. 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 Strecker, Hosie, Jindra, Baumann and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2004-2880 signed by the Mayor and attested by the Clerk.

ORDINANCE NO. 2004 – 2881

REPEAL CODE - PROPERTY INSURANCE PROCEEDS

APPROVED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE PROVIDING FOR CLAIMS UPON PROPERTY INSURANCE PROCEEDS; REPEALING SECTIONS 2-351, 2-352, 2-353, 2-354, 2-355, AND 2-356 OF THE CONCORDIA CODE; AND AMENDING THE CONCORDIA CODE, BY ADDING NEW SECTIONS 2-351 and 2-352.

Thereupon, Commissioner Hosie moved that said Ordinance be adopted. The motion was seconded by Commissioner Baumann. 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 Strecker, Hosie, Jindra, Baumann and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2004-2881 signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Strecker thanked Sarah Holbert and Dan McReynolds for their work on the dog ordinance.

Commissioner Jindra asked about the Hill Street Development agreement. Mr. Paine advised there is a meeting scheduled tomorrow to discuss the agreement.

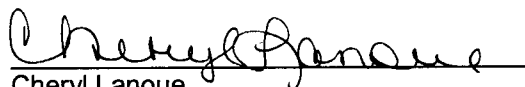
STAFF COMMENTS

Mr. Paine advised he would be having a meeting with the COR of Engineers and the Kansas Water Office.

Mr. Paine stated the Holiday dinner is December 23rd at noon at the Country Club.

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

Commissioner Baumann moved to adjourn the meeting. Commissioner Slaughter seconded. Motion carried.


Cheryl Lanoue
City Clerk

(Seal)