

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 5, 2005

The governing body met in regular session on January 5, 2005 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, 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: Jessica LeDuc, Larry Remmenga, Brian Strait, Jeff Stricklin, Ron Copple, Burl Maley, Larry Eubanks, Steve Dailey and Kent Otto.

Minutes of the December 15, 2004 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 24A APPROVED

Commissioner Jindra moved to approve Appropriation Ordinance No. 24A. Commissioner Strecker seconded. Motion carried.

APPOINTMENT TO BOARD OF ZONING APPEALS CHARLIE LOWERS

City Manager Paine stated the terms of Clark Talley and Luann Miller on the Board of Zoning Appeals will expire January 19, 2005. They have both decided not to seek another term. The city advertised the positions open on the Board of Zoning Appeals. Charley Lowers completed an expression of interest form for one of the positions. Commissioner Jindra moved to appoint Charley Lowers to a three (3) year term on the Board of Zoning Appeals, with his term being January 19, 2005 through January 19, 2008. Commissioner Baumann seconded. Motion carried. The other position will be considered vacant until it is filled.

APPOINTMENT TO CLOUDCORP BOARD OF DIRECTORS JOE STRECKER

Commissioner Hosie moved to appoint Commissioner Strecker to the CloudCorp Board of Directors for a three (3) year term. Commissioner Baumann seconded. Motion carried.

PUBLIC COMMENTS

There were no public comments.

VEHICLE BID AWARDS

City Manager Paine advised the commission the city advertised six vehicles for sale by sealed bids. The bid opening was at 10:00 a.m. on December 23, 2004. The city received bids from 11 different individuals, as listed below. Larry Remmenga was high bidder on the 1971 Chevy Van. Larry withdrew his bid on December 29, 2004.

| | 1973 | 1991 | 1979 | 1975 | 1993 | 1971 |
|-----------------|------------|----------|------------|-------------|--------------|-----------|
| NAME | VOLKSWAGON | ISUZU | FORD L800 | FORD SLURRY | CHEVY LUMINA | CHEVY VAN |
| | | | | | | |
| Larry Eubanks | | | | | | \$237.99 |
| | | | | | | |
| Ron Copple | | | | | | \$521.00 |
| | | | | | | |
| Larry Remmenga | | | | | | \$683.00 |
| | | | | | | |
| David Berndt | \$50.00 | | | | | |
| | | | | | | |
| Clint Jensen | \$87.75 | | | | | |
| | | | | | | |
| H. Lee Campbell | \$56.00 | \$126.00 | | | | |
| | | | | | | |
| Rex Ista | \$200.00 | \$160.00 | \$1,300.00 | \$710.00 | | \$260.00 |
| | | | | | | |
| Auto Outlet | \$125.00 | \$125.00 | \$1,150.00 | \$355.00 | \$125.00 | |
| | | | | | | |

| | | | | | | |
|---------------------|--|----------|--|--|----------|--|
| Brandon Christenson | | | | | \$259.99 | |
| | | | | | | |
| Ty Gennette | | \$255.00 | | | | |
| | | | | | | |
| Andy Mosher | | \$53.00 | | | | |

Commissioner Strecker moved to accept the following bids. Commissioner Jindra seconded. Motion carried.

| | | |
|------------------------|-------------|---------------------|
| 1973 Volkswagon | \$200.00 | Rex Istas |
| 1991 Isuzu | \$255.00 | Ty Gennette |
| 1975 Ford Slurry Truck | \$710.00 | Rex Istas |
| 1993 Chevy Lumina | \$259.99 | Brandon Christenson |
| 1971 Chevy Van | \$521.00 | Ron Copple |
| 1979 Ford L800 | Reject Bids | |

RESOLUTION NO. 2005-1572 - (CLASSIFIED EMPLOYEES)

APPROVED

Thereupon there was presented a Resolution entitled:

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

Thereupon, Commissioner Jindra 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, Strecker, and Hosie.
- No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1572 and was signed and approved by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1573 - (NON-CLASSIFIED EMPLOYEES)

APPROVED

Thereupon there was presented a Resolution entitled:

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

Thereupon, Commissioner Strecker moved that said Resolution be passed. The motion was seconded by Commissioner 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, Strecker and Hosie.
- No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1573 and was signed and approved by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1574 – SCHOENBRUNN/KENDALL NUISANCE ABATEMENT ASSESSMENT – 219 W. 3RD

APPROVED

Thereupon there was presented a Resolution entitled:

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF 219 W. 3RD WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$392.18.

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 the passage of said Resolution was carried by the vote of the City Commission, the vote being as follows:

- Yes: Commissioners Baumann, Jindra, Strecker, and Hosie.
- No: None

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 5, 2005, contd.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1574 was signed and approved by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1575 – KYLE RAILROAD
NUISANCE ABATEMENT ASSESSMENT – 4TH & VALLEY**

APPROVED

Thereupon there was presented a Resolution entitled:

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF RAILROAD PROPERTY, 4TH & VALLEY WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$763.59.

Thereupon, Commissioner Baumann 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, and Hosie.

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1575 was signed and approved by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1576 – LIZZIE KENDALL
NUISANCE ABATEMENT ASSESSMENT – 233 W 3RD**

APPROVED

Thereupon there was presented a Resolution entitled:

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF 233 W 3RD WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$157.34.

Thereupon, Commissioner Jindra 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, Strecker, and Hosie.

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1576 was signed and approved by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1577 – HALE
NUISANCE ABATEMENT ASSESSMENT – 221 W. 3RD**

APPROVED

Thereupon there was presented a Resolution entitled:

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF 221 W. 3RD WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$502.34.

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 the passage of said Resolution was carried by the vote of the City Commission, the vote being as follows:

Yes: Commissioners Baumann, Jindra, Strecker, and Hosie.

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1577 was signed and approved by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 5, 2005, contd.

**RESOLUTION NO. 2005-1578 – AGREEMENT WITH COUNTY
ANNEXATION & STREET IMPROVEMENTS**

APPROVED

Thereupon there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY DEEMS IT ADVISABLE TO ENTER INTO A COOPERATIVE AGREEMENT WITH CLOUD COUNTY, WHEREBY THE CITY, WITH THE CONSENT OF THE COUNTY, WILL ANNEX INTO THE CITY CERTAIN COUNTY ROADS ADJACENT TO THE CITY LIMITS, AND THE COUNTY WILL PROVIDE ASSISTANCE TO THE CITY WITH RESPECT TO CERTAIN CITY STREET PAVING PROJECTS; AND WHEREAS, THE BOARD OF COUNTY COMMISSIONERS OF CLOUD COUNTY HAS APPROVED THE ANNEXATION AND STREET IMPROVEMENT AGREEMENT FOR THESE PURPOSES.

Thereupon, Commissioner Jindra 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, and Hosie.

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1578 was signed and approved by the Mayor and attested by the Clerk.

EXECUTIVE SESSION - LAND ACQUISITION

HELD

At this time Commissioner Hosie moved that the commission recess into executive session for ten (10) minutes to discuss land acquisition. Commissioner Jindra seconded. Motion carried. Time: 5:49 p.m. Inviting: Larry Uri and Larry Paine.

The commission reconvened at 5:59 p.m.

Mayor Hosie announced that there was no action taken.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

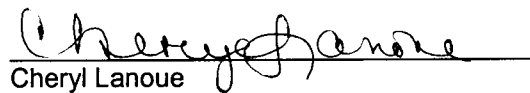
Mayor Hosie asked for a copy of the 2004 and 2005 pay plans.

STAFF COMMENTS

City Manager Paine stated City Hall Day in Topeka is on January 27th and asked the commission to consider adjourning to January 10th to consider a resolution calling a public hearing on the TIF for the Theater project.

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

There being no further business, Commissioner Strecker moved to adjourn the meeting to January 10th, 2005 at 3:00 p.m. Commissioner Baumann seconded. Motion carried.


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 19, 2005

The governing body met in regular session on January 19, 2005 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: Jessica LeDuc, Larry Remmenga, Jeff Stricklin, Dana Nelson, Burl Maley, Ron Copple, Pastor Cory Shipley, Bruno Rehbein, Suzzy Tuggle, John & Rita Luongo, Kirk Lowell, David & Judy Ray, Tom Tuggle, Larry Eubanks and Brian Strait.

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

Commissioner Hosie moved to split up public comments one for the regular public comments and the other for the discussion on the Bed & Breakfast at 330 W 9th. Commissioner Jindra seconded. Motion carried.

Minutes of the January 5, 2005 regular meeting and January 10, 2005 adjourned meeting were approved as written.

APPROPRIATION ORDINANCE NO. 24

APPROVED

Commissioner Slaughter moved to approve Appropriation Ordinance No. 24. Commissioner Jindra seconded. Motion carried.

FOURTH QUARTER INVESTMENT REPORT

ACCEPTED

City Clerk Lanoue presented the fourth quarter investment report per Ordinance No. 1860. Total interest for the fourth quarter in 2004 was \$19,208.05 compared to \$21,331.32 for 2003. Commissioner Jindra moved to place on file the fourth quarter investment report. Commissioner Slaughter seconded. Motion carried.

PUBLIC COMMENTS

Kirk Lowell advised the commission Gold-Thomen will be back in Concordia next week. There will be a Public Strategic Planning session on Wednesday, January 26th, 2005 at 7:00 p.m. in the Cook Theater, Cloud County Community College.

APPROVE AMBULANCE BID SPECIFICATIONS

City Manager Paine advised the commission the specifications are the ones given to them two weeks ago and the only comment was could we purchase a used ambulance. Mr. Paine advised a used ambulance is not appropriate. Following discussion, Commissioner Jindra moved to approve the ambulance bid specifications. Commissioner Slaughter seconded. Motion carried.

RESOLUTION NO. 2005-1580

SET PUBLIC HEARING – 614 WILLOW

PASSED

Thereupon, there was presented a Resolution entitled:

THE ENFORCING OFFICER PURSUANT TO K.S.A. 12-1750 ET SEQ., AS PROVIDED BY SECTION 7-47 (C) OF THE CODE OF ORDINANCES OF THE CITY OF CONCORDIA, KANSAS, HAS INFORMED THE GOVERNING BODY THAT IN HIS OPINION THE FOLLOWING STRUCTURE IS UNSAFE AND DANGEROUS – 614 WILLOW.

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

Aye: Commissioners Hosie, Baumann, Jindra and Slaughter.

Nay: None.

Thereupon, the Resolution having been approved by the members of the City Commission, it was given No. 2005-1580, and was directed to be signed by the Mayor, attested by the City Clerk.

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD JANUARY 10, 2005

The governing body met in adjourned session on January 10, 2005, at 3:00 p.m. in the City Commission Room with the Mayor Hosie presiding and the following members present: Commissioners Baumann, Strecker and Jindra.

Absent: Commissioner Slaughter.

Other Officers: City Manager Paine and City Clerk Lanoue.

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

Visitors: Ron Copple, Larry Remmenga, Burl Maley, Kirk Lowell and Jessica LeDuc.

RESOLUTION NO. 2005-1579

SET PUBLIC HEARING TIF THEATER PROJECT

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 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.

The Resolution was considered and discussed; and thereupon on motion of Commissioner Strecker, seconded by Commissioner Jindra, the Resolution, with the amendment of time to 5:30 p.m. on February 16, 2005 was adopted by the following roll call vote:

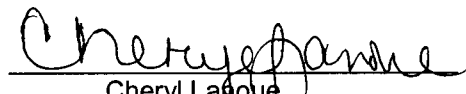
Aye: Commissioners Jindra, Strecker, Baumann and Hosie.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2005-1579, and was directed to be signed by the Mayor and attested by the City Clerk.

Mayor Hosie 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)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 19, 2005, contd.

CONDITIONAL USE PERMIT – 330 W. 9TH

REFERRED BACK TO STAFF UNTIL 2-2-05

Bruno Rehbein stated the Planning Commission met on December 28, 2004 on the conditional use permit for John Luongo at 330 W 9th. The conditional use permit would allow them to operate a Bed & Breakfast inn out of their home. The Planning Commission voted 5-0 to recommend the approval of the conditional use permit subject to the following conditions:

1. All applicable city, state and federal regulations must be fully complied with, including all city adopted building and life safety codes.
2. The owner's place of residency must be the permitted bed and breakfast principle structure, and be owner occupied during hours of operation as a bed and breakfast inn.
3. No commercial events may be held in any common area, including the ground. Services of the bed and breakfast shall be provided to guests only.
4. In addition to any other signage allowed under these regulations, a bed and breakfast inn may suspend a sign from a lamppost or similar device, not to exceed sixteen (16) square feet in area, per side, and not to exceed eight (8) feet in overall height, measured from the ground at the base of the sign. Except as otherwise provided herein, all regulations for a pole sign at Section 27-15 shall apply to bed and breakfast establishments.
5. The CUP, and the ability to use the subject property under the authority of the CUP, may be held by the applicant only, and shall not pass to any other owner, lessee or other party in possession of the subject property.

Mr. Rehbein stated there was a legal protest petition filed, with 37% of the property owners.

Mr. Tuggle stated they will be unavailable in two weeks. Mr. Tuggle stated six of eight families signed the protest petition and the Planning Commission only recommends to the City Commission on the issue. Mr. Tuggle stated he has lived in the neighborhood for a number of years. The applicants must be residents and they are not. Mr. Tuggle stated the applicants have no vehicles registered here in Concordia nor have they registered to vote.

Rita Luongo stated they plan to move in May after their son graduates from high school.

Judy Ray stated she does not want a business or any business in their block.

Dana Nelson stated she did not want the area to be a business area.

Following discussion, Commissioner Hosie stated he would like all commission to be present to vote on the issue. Commissioner Hosie moved to refer the conditional use permit back to staff until February 2, 2005. Commissioner Jindra seconded. The following being the vote:

Aye: Commissioners Hosie, Jindra, and Slaughter.

Nay: Commissioner Baumann.

Motion carried.

ORDINANCE NO. 2005-2882

ANNEXATIONS – STREETS (COUNTY)

PASSED

Thereupon, there was presented an Ordinance entitled:

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

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

Yea: Commissioners Hosie, Slaughter, Baumann and Jindra.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2005-2882, was signed and approved by the Mayor and attested by the Clerk and was directed to be published one time in the official newspaper of the City.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 19, 2005, contd.

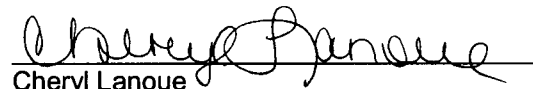
STAFF COMMENTS

City Manager Paine stated there would be a work session with Gold-Thomen next week.

Mr. Paine stated the Mayor and he presented a Flood Control presentation to the Kansas Water Authority and the Flood Control project is now on the list.

Mayor Hosie announced there would be a work session next week and the media would have to be notified.

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 FEBRUARY 2, 2005

The governing body met in regular session on February 2, 2005 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, Strecker, Hosie, Baumann 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: Jessica LeDuc, Larry Remmenga, Jeff Stricklin, Dana Nelson, Burl Maley, Ron Copple, Pastor Bob Burns, Bruno Rehbein, Rita Luongo, Kirk Lowell, David & Judy Ray, Armand Balthazor, Gena Aleers, Mikki Saltzman, Sharon Krueger, LaDonna Peltier, Jack Gould, Ted Collins, Arlene Clayton, Larry Eubanks and Brian Strait.

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

Commissioner Strecker moved to approve the minutes of the January 19, 2005 regular meeting as written. Commissioner Baumann seconded. Motion carried.

APPROPRIATION ORDINANCES NO. 1 & 2

APPROVED

Commissioner Strecker moved to approve Appropriation Ordinances No. 1 & 2. Commissioner Slaughter seconded. Motion carried.

PUBLIC COMMENTS

Armand Balthazor stated the public should have the right to vote on the buying of the land in the South Business District and on the theatre project. Mr. Balthazor stated there was no representation on the City Commission in the 4th ward and commissioners should be elected by ward.

DECLARATION FOR PARTICIPATION IN THE FIREFIGHTERS RELIEF FUND

APPROVED

Cheryl Lanoue advised the commission this was an annual Declaration of Participation in the Firefighters Relief Fund and staff was recommending the Commission authorize the Mayor and City Clerk to execute the State of Kansas Declaration of Participation in the Firefighters Relief Fund for 2005. Commissioner Jindra moved to authorize the Mayor and City Clerk to execute the State of Kansas Declaration for Participation in the Firefighters Relief Fund for 2005. Commissioner Strecker seconded. Motion carried.

RESOLUTION NO. 2005-1581- 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 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 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. 2005-1581 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1582-KDOT PROJECT RAILWAY-HIGHWAY CROSSING SIGNALS

ACCEPTED

Thereupon, there was presented a Resolution entitled:

A RESOLUTION OF THE CITY OF CONCORDIA AUTHORIZING MAYOR AND CITY CLERK TO EXECUTE AGREEMENTS FOR A RAILWAY/HIGHWAY CROSSING SIGNALS

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 2, 2005, 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 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. 2005-1582 and was signed by the Mayor and attested by the Clerk.

ORDINANCE NO. 2005-2883 CONDITIONAL USE PERMIT – 330 W. 9TH

APPROVED

Bruno Rehbein stated the Planning Commission met on December 28, 2004 on the conditional use permit for John Luongo at 330 W 9th. The conditional use permit would allow them to operate a bed & breakfast inn out of their home. The Planning Commission voted 5-0 to recommend the approval of the conditional use permit subject to the following conditions:

1. All applicable city, state and federal regulations must be fully complied with, including all city adopted building and life safety codes.
2. The owner's place of residency must be the permitted bed and breakfast principle structure, and be owner occupied during hours of operation as a bed and breakfast inn.
3. No commercial events may be held in any common are, including the ground. Services of the bed and breakfast shall be provided to guests only.
4. In addition to any other signage allowed under these regulations, a bed and breakfast inn may suspend a sign from a lamppost or similar device, not to exceed sixteen (16) square feet in area, per side, and not to exceed eight (8) feet in overall height, measured from the ground at the base of the sign. Except as otherwise provided herein, all regulations for a pole sign at Section 27-15 shall apply to bed and breakfast establishments.
5. The CUP, and the ability to use the subject property under the authority of the CUP, may be held by the applicant only, and shall not pass to any other owner, lessee or other party in possession of the subject property.

Mr. Rehbein stated there was a legal protest petition filed, with 37% of the property owners.

Commissioner Strecker stated he did not see much difference in the bed & breakfast and a person renting their basement.

Bruno Rehbein stated the difference would be the renting of the basement would be a residence versus bed & breakfast which would be a one to two night stay.

Commissioner Baumann stated 37 years ago the area was all residential. Commissioner Baumann stated eight (8) of the ten (10) neighbors do not want a bed & breakfast in the neighborhood.

Commissioner Jindra stated we could do the following:

1. Do we or do we not want a bed & breakfast in Concordia.
2. Bed & breakfast attracts upscale clientele.
3. Fear of the unknown.
4. His wife stated 9 years ago she stayed at Crystal's Bed & Breakfast and it made a good impression on her.

Commissioner Hosie thanked all of the people that came to the city commission meeting to express their opinions on this issue.

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CONCORDIA BY APPROVAL OF A CONDITIONAL USE PERMIT TO ESTABLISH A BED AND BREAKFAST INN ESTABLISHMENT ON PROPERTY CURRENTLY ZONED "R-1" LOW DENSITY RESIDENTIAL DISTRICT AND LOCATED AT 330 W 9TH WITH THE FOLLOWING CONDITIONS:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 2, 2005, contd.

1. All applicable city, state and federal regulations must be fully complied with, including all city adopted building and life safety codes.
2. The owner's place of residency must be the permitted bed and breakfast principle structure, and be owner occupied during hours of operation as a bed and breakfast inn.
3. No commercial events may be held in any common are, including the ground. Services of the bed and breakfast shall be provided to guests only.
4. In addition to any other signage allowed under these regulations, a bed and breakfast inn may suspend a sign from a lamppost or similar device, not to exceed sixteen (16) square feet in area, per side, and not to exceed eight (8) feet in overall height, measured from the ground at the base of the sign. Except as otherwise provided herein, all regulations for a pole sign at Section 27-15 shall apply to bed and breakfast establishments.
5. The CUP and the ability to use the subject property under the authority of the CUP, may be held by the applicant only, and shall not pass to any other owner, lessee or other party in possession of the subject property.

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 governing body, the vote being as follows:

Yea: Commissioners Hosie, Slaughter, Strecker and Jindra.

Nay: Commissioner Baumann.

Thereupon, the Mayor declared said Ordinance passed 4 to 1 and the Ordinance was then duly numbered Ordinance No. 2005-2883, was signed and approved by the Mayor and attested by the Clerk and was directed to be published in the official newspaper of the City.

MAYOR/COMMISSIONER COMMENTS

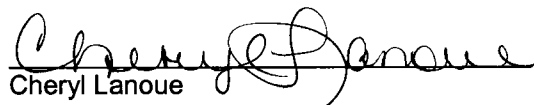
Commissioner Jindra complimented the Public Works Department for the filling of the pot holes.

Commissioner Slaughter stated the Fire Department received the fire call at Alstom Power at 10:45 a.m. and was on seen at 10:51 a.m.

Commissioner Baumann asked if there was anything planned for the soldiers returning for Iraq?

Mayor Hosie 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 FEBRUARY 16, 2005

The governing body met in regular session on February 16, 2005 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, Baumann, Strecker, 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: Jessica LeDuc, Larry Remmenga, Jeff Stricklin, Burl Maley, Ron Copple, Bruno Rehbein, Kirk Lowell, Bob Burns, Larry Eubanks, Jessica LeDuc, Armand Balthazor, Rex Swihart, Ron Deal, Don Dean, Verna Ferguson, Dennis McIntyre, Roberta Lowrey, Robert Steimel, Roy White, Arlene Clayton, Isadore Bombardier, Roy Reif, Steve & Judy Womack, Steve Wetter, John Hood, Steve Bryant, Richard Lowrey, Eric Johnson, Barbara Shunn, Janet Eubanks, Kim Weisner, Steve Womack, Jr. and Brian Strait.

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

Commissioner Strecker moved to approve the minutes of the February 2, 2005 regular meeting as written. Commissioner Baumann seconded. Motion carried.

APPROPRIATION ORDINANCES NO. 3

APPROVED

Commissioner Jindra moved to approve Appropriation Ordinance No. 3. Commissioner Slaughter seconded. Motion carried.

PROCLAMATION

Mayor Hosie read the Cloud County Community College proclamation and recognized the college for 40 years of shared service in our community.

PUBLIC COMMENTS

Armand Balthazor stated again he felt any TIF project should be put to a vote of the citizens.

PUBLIC HEARING – 227 E. 6TH

UNSAFE & DANGEROUS STRUCTURE

HELD

Mayor Hosie opened the public hearing.

Larry Uri, City Attorney, stated the city was holding insurance proceeds. The commission could adjourn the matter, pay the insurance proceeds to the property owner or pass a resolution with a certain number of days for the work to commence.

Bruno Rehbein, City Building Inspector, stated the owner is planning to demolish the house, but currently does not have a permit.

Mayor Hosie closed public hearing.

PUBLIC HEARING – 132 W. 10TH

UNSAFE & DANGEROUS STRUCTURE

HELD

Mayor Hosie opened the public hearing.

Bruno Rehbein, City Building Inspector, stated this house had a fire one to two years ago. The property owner (Swihart) is planning to install new windows, siding and wiring. They have obtained a building permit.

Mr. Swihart stated he hoped to start in the spring.

Mayor Hosie closed the public hearing.

PUBLIC HEARING – TIF THEATER REDEVELOPMENT PROJECT

HELD

Mayor Hosie opened the public hearing.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 16, 2005, contd.

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.

Dennis McIntyre, B & B Theaters, stated B & B is family owned and operated and is committed to every project they do.

Verna Ferguson, Roberta and Richard Lowrey, Roy Reif, and Steve Womack all gave their support of the project.

Thereafter, all interested persons were afforded an opportunity to present their views on such matters. Thereupon, the public hearing was closed.

APPROVE MOWER BID SPECIFICATIONS

Ron Copple, Director of Public Works advised the commission about the mower specifications. This mower would be used at the Sports Complex. Following discussion, Commissioner Jindra moved to approve the mower bid specifications. Commissioner Slaughter seconded. Motion carried.

APPROVAL OF STREET PROJECTS
KLINK, 11TH STREET & BROADWAY

Don Dean, Campbell & Johnson Engineers, informed the commission only one proposal for each project was received and opened. Hall Brothers Construction Company, Inc. was the only company to submit a bid on each project. The projects, contractor and engineer's estimate are as follows:

| <u>CONTRACTOR</u> | <u>ST-2004-KLINK</u> | <u>ST-2004-11TH ST</u> | <u>ST-2004-BRDWY</u> |
|----------------------|----------------------|-----------------------------------|----------------------|
| Hall Brothers Const. | \$116,298.55 | \$167,685.00 | \$42,705.50 |
| Engineer's Estimate | 111,527.20 | 190,020.00 | 49,260.00 |

Hall Brothers, if awarded the bids on all three projects, would plan to do all three projects in July of 2005. After reviewing the bids and discussion with city staff, Mr. Dean would recommend to accept the bid from Hall Brothers Construction Co., Inc. on all three projects. Following discussion, Commissioner Jindra moved to accept the only street project bids the city received as follows:

| | | |
|----------------------------|-------------------------|--------------|
| Hall Brothers Construction | KLINK | \$116,298.55 |
| | 11 TH Street | \$167,685.00 |
| | Broadway | \$ 42,705.50 |

Commissioner Baumann seconded. Motion carried.

UNSAFE & DANGEROUS STRUCTURE - 227 E. 6TH REFERRED BACK TO STAFF

Commissioner Hosie moved to refer the resolution relating to the unsafe and dangerous structure at 227 E 6th back to staff. Commissioner Strecker seconded.

RESOLUTION NO. 2005-1583– 132 W. 10TH
UNSAFE & DANGEROUS STRUCTURE APPROVED

Thereupon there was presented a Resolution entitled:

WHEREAS, THE ENFORCING OFFICER PURSUANT TO K.S.A. 12-1750 ET SEQ., AS PROVIDED BY SECTION 7-47 (C) OF THE CODE OF ORDINANCES OF THE CITY OF CONCORDIA, KANSAS, HAS INFORMED THE GOVERNING BODY THAT IN HIS OPINION THE FOLLOWING STRUCTURE IS UNSAFE AND DANGEROUS:

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

No: None.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 16, 2005, contd.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1583 was signed and approved by the Mayor and attested by the Clerk.

**ORDINANCE NO. 2005-2884 - TIF
THEATER REDEVELOPMENT PROJECT**

PASSED

Mayor Hosie left the room due to a conflict of interest, with the Theater Project.

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

AN ORDINANCE OF THE CITY OF CONCORDIA, KANSAS ADOPTING A THEATER 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: Commissioner Baumann, Strecker, Jindra and Slaughter.

Nay: None.

Abstention: Commissioner Hosie.

Thereupon, the Ordinance having been adopted by a 2/3rds vote of the members of the City Commission, it was given No. 2005-2884, and was directed to be signed by the Mayor Pro tem, attested by the City Clerk and directed to be published one time in the official City newspaper.

**EXECUTIVE SESSION
ATTORNEY/CLIENT PRIVILEGE**

HELD

At this time Commissioner Hosie moved that the commission recess into executive session for ten (10) minutes to discuss attorney/client privileges. Commissioner Jindra seconded. Motion carried. Time: 7:00 p.m. Inviting: Larry Paine and Larry Uri.

The commission reconvened at 7:10 p.m.

Mayor Hosie announced that there was no binding action taken.

**MAYOR/COMMISSIONER
COMMENTS AND REPORTS**

Commissioner Slaughter welcomed home the troops.


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

STAFF COMMENTS

Larry Paine, announced Larry Eubanks would be the Acting Fire Chief during Jeff Stricklin's Leave of Absense, without pay and benefits.

Ron Copple, Director of Public Works, thanked the Commission for the support of the street projects and advised the community clean-up would be the last week of March.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 2, 2005

The governing body met in regular session on March 2, 2005 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, Strecker, Hosie, Baumann 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: Jessica LeDuc, Larry Remmenga, Burl Maley, Pastor Gay Robertson, Bruno Rehbein, Kirk Lowell, Larry Eubanks, Jared Cyr, Jerome Sorell, Faith Nyswonger, Tim & Vicki Menard, Jack Gould, Steve Dailey, Kent Ottot, Ron Deal, Janet Eubanks and Brian Strait.

Pastor Gay Robertson, Trinity United Methodist, provided the invocation before the city commission meeting.

Item 7b Resolution calling for the sale of temporary notes on theater project and 8b Ordinance authorizing theater project were removed from the agenda. Mayor Hosie announced there would be two executive sessions; one for acquisition of land and one for non-elected personnel.

Commissioner Strecker moved to approve the minutes of the February 2, 2005 regular meeting with the following change to include work needs to begin within 90 days from the passage of the Resolution 2005-1583. Commissioner Baumann seconded. Motion carried.

Mayor Hosie asked about the language No Binding Action taken after the executive session. Larry Uri stated he would look into to this.

APPROPRIATION ORDINANCE NO. 4

APPROVED

Commissioner Hosie moved to approve Appropriation Ordinance No. 4. Commissioner Strecker seconded. Motion carried.

PUBLIC COMMENTS

Armand Balthazor stated at the last city commission meeting it was stated there would be positive and negative comments on the theater project. Mr. Balthazor felt that no one wants to be negative they just want to voice their opinions. Mr. Balthazor also said, "Two men doing the same job agree all the time, one of them is worthless. If they disagree all the time, both are worthless."

Mayor Hosie stated the positive and negative choice of words probably was not the right choice of words.

Kent Ottot, Reserve firefighter, stated he had confidence in the acting chief and the decision that was made by the City Manager. As for the comments in the local paper that led people to believe that no one in the department was aware of Stricklin's leaving, that wasn't the case.

Jack Gould asked why the assistant chief was not appointed as the chief and why he terminated.

BROWN GRAND UPDATE

Faith Nyswonger and Jared Cyr, representatives of the Brown Grand, advised the commission about the year 2004 at the Brown Grand. Mrs. Nyswonger stated the Brown Grand had the following improvements in 2003:

- Roof repairs
- The west and front walls repaired
- All lights
- The ladies bathroom
- Front windows repaired and replaced
- Parking Lot
- Sign – 2 miles south on US 81

Jared Cyr and Faith Nyswonger both thanked the commission for their support.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 2, 2005, contd.

APPROVE COMPUTER SPECIFICATIONS

Commissioner Jindra moved to approve the computer specifications. Commissioner Slaughter seconded. Motion carried.

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. 2005-1584 AUTHORIZE EXECUTION OF DEED TO LOST CREEK MEDICAL ARTS BUILDING

PASSED

Thereupon, there was presented a Resolution entitled:

ON SEPTEMBER 1, 1979, THE CITY, AS LANDLORD, AND CONCORDIA MEDICAL ARTS BUILDING, A PARTNERSHIP ORGANIZED UNDER THE LAWS OF THE STATE OF KANSAS, AS TENANT, ENTERED INTO A LEASE. THE TENANT HAS NOTIFIED THE LANDLORD OF THE TENANT'S EXERCISE OF ITS OPTION TO PURCHASE THE REAL ESTATE PURSUANT TO THE TERMS OF ARTICLE XVII OF THE SAID LEASE. THE SAID LEASE PROVIDES THAT UPON PAYMENT OF THE DESCRIBED SUMS AND EXECUTION AND DELIVERY OF THE DESCRIBED WARRANTY DEED, THE SAID LEASE SHALL TERMINATE.

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

Nay: None.

Thereupon, the Resolution having been approved by the members of the City Commission, it was given No. 2005-1584, and was directed to be signed by the Mayor, attested by the City Clerk.

ORDINANCE NO. 2005 – 2885 – ZONING CHANGE – 1301 LINCOLN, 1309 LINCOLN, 1415 LINCOLN, 214 E. 13TH & 212 E. 14TH

APPROVED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN SPECIFICALLY DESCRIBED PROPERTY IN THE CITY OF CONCORDIA, KANSAS; ORDERING THE OFFICIAL CITY ZONING DISTRICT MAP TO BE CHANGED TO REFLECT SUCH AMENDMENTS; AND AMENDING SECTION 3-201 OF ARTICLE 3 OF THE ZONING ORDINANCE FOR THE CITY OF CONCORDIA, KANSAS.

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

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2005-2885 signed by the Mayor and attested by the Clerk.

EXECUTIVE SESSION – ACQUISITION OF LAND

HELD

At this time Commissioner Hosie moved that the commission recess into executive session for thirty (30) minutes to discuss Acquisition of Land. Commissioner Jindra seconded. Motion carried. Time: 6:04 p.m. Inviting: Larry Paine, Kirk Lowell, CloudCorp and Larry Uri.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 2, 2005, contd.

The commission reconvened at 6:34 p.m.

Mayor Hosie announced that there was no action to be taken as a result of the executive session.

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

At this time Commissioner Hosie moved that the commission recess into executive session for twelve (12) minutes to discuss Non-Elected Personnel. Commissioner Jindra seconded. Motion carried. Time: 6:36 p.m.

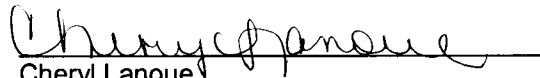
The commission reconvened at 6:48 p.m.

Mayor Hosie announced that there was no action to be taken as a result of the executive session.

**MAYOR/COMMISSIONER
COMMENTS AND REPORTS**

Mayor Hosie asked Chief Maley if he had plans to have animal control make contact with the owners of the dangerous dogs.

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 MARCH 16, 2005

The governing body met in regular session on March 16, 2005 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, Strecker, Hosie, Baumann and Jindra.

Absent: None

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

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

Visitors: Jessica LeDuc, Larry Remmenga, Burl Maley, Bruno Rehbein, Suzy Tuggle, Kirk Lowell, Armand Balthazor, Arlene Clayton, Tim & Vicki Menard, Toby Noster, Charles Johnson, Bill Lahodny, Denise Lahodny, Steve Schroeder, Bruno Rehbein, Kara Champlin, Dana Champlin, Larry Blochlinger, Larry Laas, Mike Foster, Jim Douglas, James Norris, Darrell Nelson, Robert Palmquist, Gay Robertson, Beverly Mortimer, Paul Nelson, Ron Deal, Tim Stangel, Jim Menard, Brett Snyder, Amanda Peterson, Bobby Dillow, Diane McNichols, Steve Dailey, Lee Lowell, Chris Workman, Dana Brewer, Janet Lowell, Cathy Feriend, Kayla Smith, Arin Jackson, Kent Otott, Cheryl Hochhalter, Denise Stover, Shari Johnson, Wanda Backstrom, Tim Parker, Chrissy Feriend, George Feriend and Chris _____.

Pastor Gay Robertson, Trinity United Methodist, provided the invocation before the city commission meeting.

Minutes of the March 2, 2005 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 5

APPROVED

Commissioner Jindra moved to approve Appropriation Ordinance No. 5. Commissioner Strecker seconded. Motion carried.

PROCLAMATION – WEEK OF THE YOUNG CHILD

Mayor Hosie read a proclamation and declared the week of April 3-9, 2004 as the Week of Young Child.

PUBLIC COMMENTS

Armand Balthazor was present with several questions for the commissioners. The first question was in regard to 11th Street. He wanted to know why the city was not using concrete on 11th Street since they had purchased the new machine to lay concrete. With the traffic on 11th Street he felt concrete would be better. Armand also wanted to know why the city was over budget, the figures did not make any sense. Every year the budget goes up. The commission should start cutting the budget not spending more money. He also asked if a school resource officer was necessary.

Arlene Clayton addressed the commission concerning several topics. She discussed several issues in regard to Concordia history. She also stated the college has nothing to do with the community, they do not provide any public services to the community, they supply education. The citizens should not be paying for the college. She also wanted to say that it was not right that the college did not replace her T-Bird card when it was stolen from her.

Armand had another idea for the commissioners that he did not mention earlier. He said if it was going to cost too much money or nobody was interested in the Concordia Lumber building maybe the city could just put a new roof on it to preserve it so something could be done at a later date. "After all it's over 100 years old."

Kirk Lowell was present and wanted to comment on Armand's question about 11th Street. He said it was his understanding there were economic and financial reasons for not using concrete and curb and gutter on 11th Street. It would not be in the city's best interest to spend that kind of money at the current time when we might be able to get help from KDOT in the future for further improvements like curb and gutter and concrete. He also commented on the Concordia Lumber building. With finances being tight Concordia Cinema was not going to pay more to preserve that building.

Steve Dailey stepped up to comment on Armand's idea of using the machine the city purchased to lay down curb and gutter and concrete on 11th Street. He said when you look at how much time it takes to use that machine, it would tie up a lot of manpower and time and there are a lot of other projects and maintenance that needs to be done.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 16, 2005, contd.

Chris Workman was present and voiced her concerns with the city's decision to hire Larry Eubanks. Why hire a part time volunteer to be chief when we have a deputy chief that can do the job. If the deputy chief could not do the job, then why was he still working for the city as a deputy chief? She also asked why the fire chief was allowed to take a leave of absence for a year for taking another job. Usually it's used for medical leave or education.

PUBLIC HEARING – 614 WILLOW UNSAFE & DANGEROUS STRUCTURE

HELD

Mayor Hosie opened the public hearing.

Larry Uri, City Attorney, stated that it is the responsibility of the property owner for the clean up after a fire. The purpose of this hearing is to allow the city to retain a portion of the insurance proceeds paid to the owner until the property is cleaned up and to proceed with this process. A resolution passed later would determine the amount of time given to the property owner for the clean up to commence.

Mayor Hosie closed public hearing.

ACCEPT AMBULANCE BID

REFERRED BACK TO STAFF

Jim Menard, Captain on the Fire Department, presented the commission with information in regard to the new ambulance specifications and the bids received for a new ambulance. The commission had concerns with the amount the city would be receiving on the trade-in and requested the ambulance bids be referred back to staff to see if we could get more money by selling the old ambulance instead of trading it in. Commissioner Baumann moved to refer the acceptance of the ambulance bids back to staff to give the city time to advertise the sale of the old ambulance. Commissioner Slaughter seconded. Motion carried.

REQUEST FROM CCCC FOR ARCHER RANGE AMEND UNIFORM PUBLIC OFFENSE CODE

Steve Schroeder, archery class instructor at Cloud County Community College, is requesting to amend the city ordinance pertaining to an archer range within the city limits. Currently, the Uniform Public Offense Code prohibits having an archery range in the city limits. Commissioner Hosie moved to refer this issue back to staff for further review, including allowing this for all educational purposes. Commissioner Jindra seconded. Motion carried.

BILL LAHODNY-FIRE DEPARTMENT DISCUSSION

Bill Lahodny felt it was in the community's best interest to speak out about some issues in the fire department. He said his goal is to begin the process of resolving these issues before they get out of hand. Mr. Lahodny stated that he wanted the answers to the questions he was going to ask and that he did not want to be lied to. In his opinion the replacement of the fire chief was handled very poor. As a tax payer he expects things to be handled in the proper manner. The first question was when the city manager was hired, was he given a handbook or set of guidelines to go by in regard to hiring employees or heads of departments? Mayor Hosie stated he was given a policy manual. Mr. Lahodny's second question was why was Andy Mosher not even considered for the position that Larry Eubanks was appointed to when Andy has over 10 years of experience and he had been serving as deputy chief.

Mr. Hosie responded to Mr. Lahodny's questions by explaining the form of government the city operates under. A lot of people do not understand the form of city government that Concordia uses which is the city commission/city manager form of government. Under this type of government the commission hires the city manager who has the power or responsibility to hire or fire any personnel. The commissioners are not involved in that process. Their role as commissioners is to hire or fire city managers, set the budget and set policy. Firing or hiring department heads or other employees is the job of the city manager. Now that our type of government has been explained, Mr. Hosie went on to say, the city manager did contact him and he contacted the other commissioners about the situation of Jeff Stricklin leaving and the city manager's intentions of appointing Larry Eubanks as the acting fire chief. He gave his reasons for doing so. Mr. Hosie stated that the decision to appoint Larry Eubanks by the city manager to replace Jeff Stricklin while he was gone had his approval as well as the approval of the other commissioners. By law it is his privilege and responsibility to make the decision that he made and if he wants to respond to questions about that decision he can do so.

There are some questions in regard to personnel issues that Mr. Paine cannot respond to and by law he is not allowed to do so publicly. Mr. Lahodny said the problem is that we aren't getting anything resolved. We are not finding out why Andy Mosher was not given a chance, why he was not considered for the position. This is the question he was trying to get answered. He felt that Andy was not given a chance strictly because Jeff Stricklin had not recommended him and it was no secret Jeff Stricklin and

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 16, 2005, contd.

Andy Mosher did not get along with each other. He said this was Chief Stricklin's childish way of causing trouble for Andy Mosher. Mr. Hosie again stated that it was Mr. Paine's decision not the commissioner's decision and what he took into consideration to make that decision was his business. Bill said he understood that it was the city manager's decision but that decision affects everybody in the community and the tax payers have the right to know why a more qualified person was not considered for the job. Mr. Lahodny said that he was contacted by the mayor prior to the meeting and asked if he had contacted the city manager to discuss this. He also asked if he wanted to be put on the agenda to create a public spectacle or cause trouble. Mr. Lahodny said in his reply that was not his intention, he was truly concerned about the safety of the community and he did not feel Larry Eubanks was competent in his abilities to make decisions in emergency situations. This could cause somebody to lose their life or property and create liability for the city. Mr. Hosie replied that Larry Eubanks would be making administrative decisions and somebody else would be making the calls in emergency situations. Andy could have made those calls in emergency situations but now that he was gone who would make those calls. Mr. Hosie stated that Larry Eubanks was only hired as a part time employee and that the remaining duties would be delegated to other people in the department. Bill asked if he was part time, why was he getting the same pay as Jeff Stricklin and allowed to use the city vehicle. Bob Baumann told Bill that he needed to talk to the city manager it was not the job of the commission to micro-manage. Mr. Baumann said that he had questions too but it was the job of the city manager to answer those questions. Mr. Lahodny replied that he had talked to some of the firefighters and they did not have much confidence in Larry Eubank's ability to lead in an emergency situation. Some of the firefighters have even expressed the possibility of leaving. Why is the city willing to place the safety of the firefighters and the citizens in the hands of a man whose abilities are in question, who does not possess the credentials to even be considered for the position. Mr. Hosie stated that what he was saying was a difference of opinion. Mr. Lahodny said if he wasn't qualified in the past when he applied for the fire chief position what makes him qualified now. In conclusion, Mr. Lahodny said it would be appropriate for the city manager and Jeff Stricklin to apologize to Andy Mosher and for Larry Eubanks to step down as fire chief and to open it up to those who are really qualified. He did not feel the firefighters could follow Larry Eubanks and could not believe that the city would place the city in such liability.

Joe Strecker said that some of the commissioners had asked some of the same questions but after they talked to the city manager, they decided they had to trust the city manager that is why they hired him. Mr. Lahodny said if things aren't running efficiently then things happen and we need to do something before things happen, we don't want anybody getting hurt or killed. Mayor Hosie said if we are going to be honest then he will have to ask that because of Bill's ties to people in the fire department that some of the people in that department are trying to air their complaints through surrogates, I think it's a valid question.

City Manager Paine expressed his desire to try and answer Mr. Lahodny's questions to the best of his ability and to do so without discussing certain issues that deal with personnel that could not be discussed in public. Was the city manager given a handbook, yes he was. Did he look at the handbook when he approved the leave of absence, absolutely. Can the city manager approve a leave of absence for a whole year? The document he gave Jeff Stricklin says he would be granted a leave for 180 days at that time when he gets back if wants to take another 180 days he could ask for the additional time and the city manager could consider that additional leave.

Mr. Paine said that he did not want to dwell too much on the question of whether or not Andy should have been given the job as acting chief. Instead he explained that prior to Jeff asking for a leave of absence he asked himself a question. If Jeff were no longer fire chief where would he go, who would he pick and how would he deal with the issue of an acting chief or successor to that position. He said the decision at that point because of issues he could not talk about reflected that he would not choose Andy Mosher as chief or acting chief. Once that decision was made where would he go, who would he ask? He said he came to that conclusion before he ever talked to Jeff about his Iraq opportunity that he would choose Larry Eubanks to be acting chief. The question has been asked, did Jeff Stricklin talk to Larry Eubanks before he asked for the leave of absence to go to Iraq. The answer is yes but he stated he had made his own decision before Jeff had ever asked to leave. Mr. Paine also stated that Larry Eubanks had also talked to Andy Mosher about taking that position before Jeff had talked to him about taking a leave of absence. This issue is not about Jeff, Andy or Larry, it's a question about who can appoint a department head in this organization. Mr. Paine met with the firefighters and clearly stated that this was his decision not, Jeff Stricklin's or Larry Eubank's decision and clearly within the code of how he can develop a management team. In answer to the question, is Larry Eubanks competent, absolutely. He is a captain on the fire department and he has been there 20 years. He has been the go-between the volunteers and the full time staff with the full time chief. He's the person people go to when they have questions. He has some credibility and competence is not an issue. When Larry Eubanks was hired as acting chief, Andy Mosher was going to be the operational manager if there would be a fire situation Andy would take command. Andy resigned, Larry Eubanks will be the acting chief, and he will be the active chief in the event we have a situation that requires fire command. The personnel in the fire department will have to deal with the issue of Larry Eubanks being active chief. In regard to the question of pay, Larry Eubanks will be paid an amount equal to the hourly wage that Jeff Stricklin was receiving while he was on duty.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 16, 2005, contd.

The question is Larry Eubanks qualified? This goes back to the time he applied for the fire chief position when Jeff was hired. Was he deemed not qualified? Mr. Paine does not think so and just because he did not get an interview does not mean he is not qualified. Larry Eubanks will do a credible job for this community. Larry Paine addressed Mr. Lahodny's comment that some members of the fire department are considering other options. He said he wants to remind the firefighters and all of the other employees of the city that there is a grievance process. If there is a concern this grievance process does not include going to the city commission. It means going to intermediate staff, to department heads then to the city manager. The personnel manual says the city manager has the final decision in the grievance process unless it's taken to district court. He did not write the manual, it was written before he came here. The firefighters have remedies to voice their concerns and they are not using them. The commission is not in the grievance line.

The question of the fire service and its ability to perform is in his view without question. Mr. Paine said he has no fear of living in this community. We have qualified people to answer fire and EMS calls! We also have volunteers in regard to EMS that have went above and beyond normal training to take additional training in advanced life support.

Mayor Hosie asked if Larry Eubanks is receiving any benefits or if Jeff Stricklin was receiving any pay or benefits while he is gone. The answer to both questions was no. Mr. Hosie asked Mr. Paine if he goes through the same mental process with all of the departments in the event that he would suddenly be without a department head. His reply was yes, he knows exactly what he would do if that happens. It's an absolute necessity to know what you are going to do in that situation when you are a city manager. Bob Baumann asked if Larry Eubanks is gone who is in charge. The city manager said the captain on duty would be in charge.

In closing, Mayor Hosie said that he has confidence in the fire department's abilities to perform their jobs and he has confidence in the city manager's decisions. He hopes that any issues can be resolved and that those employees given additional responsibilities use this opportunity to advance themselves and their department.

RESOLUTION NO. 2005-1585 – 614 WILLOW UNSAFE & DANGEROUS STRUCTURE

APPROVED

Thereupon there was presented a Resolution entitled:

WHEREAS, THE ENFORCING OFFICER PURSUANT TO K.S.A. 12-1750 ET SEQ., AS PROVIDED BY SECTION 7-47 (C) OF THE CODE OF ORDINANCES OF THE CITY OF CONCORDIA, KANSAS, HAS INFORMED THE GOVERNING BODY THAT IN HIS OPINION THE FOLLOWING STRUCTURE IS UNSAFE AND DANGEROUS: THE RESIDENTIAL STRUCTURE ON THE PREMISES LOCATED AT 614 WILLOW, CONCORDIA, KANSAS.

Thereupon, Commissioner Strecker moved that said Resolution be passed with the 30 day limit. 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 Hosie, Baumann, Strecker, Jindra and Slaughter.

No: None.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1585 was signed and approved by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1586 EXTEND MATURITY DATE OF TEMPORARY FINANCING FOR SOUTH DEVELOPMENT LAND ACQUISITION

PASSED

Thereupon, there was presented a Resolution entitled:

A RESOLUTION AMENDING RESOLUTION NO. 2004-1517 OF THE CITY OF CONCORDIA, KANSAS, WHICH AUTHORIZED THE ISSUANCE AND DELIVERY OF \$600,000 PRINCIPAL AMOUNT OF TEMPORARY NOTES, SERIES 2004-1, OF THE CITY.

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, the vote being as follows:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 16, 2005, contd.

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2005-1586 and was signed by the Mayor and attested by the Clerk.

**SUNFLOWER ROAD
DEVELOPMENT AGREEMENT**

REFERRED BACK TO STAFF

Kirk Lowell, CloudCorp, was present to summarize the agreement between the City of Concordia, CloudCorp and CCHC for the development of Sunflower Road and answer any questions regarding the agreement. Upon discussion, Mayor Hosie moved to have the agreement be referred back to staff to have the agreement reflect the stipulation that the lots are to be sold individually, with the intent of having a possibility of seven new houses (one on each lot). Commissioner Baumann seconded. Motion carried.

**RESOLUTION NO. 2005-1587
SCHOOL RESOURCE OFFICER**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY FINDS THAT PROVIDING A SCHOOL RESOURCE OFFICER FROM THE POLICE DEPARTMENT WILL ENHANCE THE SAFETY AND SECURITY OF THE SCHOOLS WITHIN THE CITY AND WILL CONTRIBUTE TO THE EDUCATION OF THE STUDENTS

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, the vote being as follows:

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

Nay: Commissioner Baumann excused himself from voting.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2005-1587 and was signed by the Mayor and attested by the Clerk.

**ORDINANCE NO. 2005 – 2886 – ZONING CHANGE –
603 & 609 2nd AVE – SUNSET HOME**

APPROVED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN SPECIFICALLY DESCRIBED PROPERTY IN THE CITY OF CONCORDIA, KANSAS; ORDERING THE OFFICIAL CITY ZONING DISTRICT MAP TO BE CHANGED TO REFLECT SUCH AMENDMENTS; AND AMENDING SECTION 3-201 OF ARTICLE 3 OF THE ZONING ORDINANCE FOR THE CITY OF CONCORDIA, KANSAS.

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 Jindra, Hosie, Baumann, Strecker and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2005-2886 signed by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 16, 2005, contd.**EXECUTIVE SESSION -
DISCUSSION OF CONFIDENTIAL DATA
RELATING TO FINANCIAL AFFAIRS OR
TRADE SECRETS OF 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 or trade secrets of a corporation. Commissioner Baumann seconded. Motion carried. Time: 7:58 p.m. Inviting: Larry Paine, Kirk Lowell, Mike Foster and Larry Uri.

The commission reconvened at 8:18 p.m.

Mayor Hosie announced that there was no action to be taken as a result of the executive session.

MAYOR & STAFF COMMENTS

City Manager Paine offered to the commission an explanation of the budget amounts that Armand was discussing in public comments. The difference of 2 million dollars is the result of the city having to show non-budgeted funds. The city has to show the expenditures in those funds as they would with any other funds.

Commissioner Slaughter said he was glad to see the city was getting started on Hill Street. Next the city manager informed the commissioners that the city had begun work on the utility facility master plan for the North Development. Commissioner Strecker stated he was glad to see that and commended the city staff on a fantastic job being done on pulling that together.

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

There being no further business, Commissioner Jindra 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 APRIL 6, 2005

The governing body met in regular session on April 6, 2005 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, Strecker, Hosie, Baumann 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: Jessica LeDuc, Larry Remmenga, Larry Eubanks, Burl Maley, Ron Copple, Rev. John Ward, Kirk Lowell, Armand Balthazor, Rex Gerard, Ron Deal, Eric Johnson, Janet Eubanks, Arlene Clayton, Roy White, Jerome Sorell and Brian Strait.

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

Item D. Accept Bid on Downtown Theatre Project under new business was removed from the agenda.

Minutes of the March 16, 2005 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 6

APPROVED

Commissioner Strecker moved to approve Appropriation Ordinance No. 6. Commissioner Slaughter seconded. Motion carried.

PROCLAMATION – ARBOR DAY

Mayor Hosie read a proclamation and declared April 29, 2005 as Arbor Day.

APPOINTMENTS – LIBRARY BOARD

MARY DEAN NELSON & MARILYN DOUGLASS

Mayor Hosie stated the Library contacted the city and advised that the terms of Anne Severance and Winston Shrader on the Library Board will expire on April 30, 2005. Mrs. Severance and Mr. Shrader have served two terms which is the maximum. Marilyn Douglass and Mary Dean Nelson were contacted and indicated an interest and willingness to serve on the Library Board. Commissioner Strecker moved to appoint Marilyn Douglass and Mary Dean Nelson to four (4) year terms on the Library Board (May 1, 2005 through April 30, 2009). Commissioner Slaughter seconded. Motion carried.

PUBLIC COMMENTS

Rex Gerard stated after the sewer line was put in (in the 1950's) the dirt was not compacted, which caused the dirt to settle.

Armand Balthazor stated the city should have put a little money into the dam every year and we would have a nice dam.

Mr. Balthazor asked why the contract with the city manager couldn't state the city commission has the last word.

Mr. Balthazor stated it would be nice to have executive session after Mayor/Commissioner and Staff comments.

AMBULANCE BID AWARD

MVP

City Manager Paine informed the commission the city advertised for the used ambulance and did not receive any bids. The initial ambulance bid tabulation sheet follows:

AMBULANCE BID TABULATION SHEET FIRE DEPARTMENT

DATE: February 25, 2005
TIME: 10:00 A.M.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 6, 2005, contd.

| <u>BIDDERS</u> | <u>WITH TRADE</u> | <u>WITHOUT TRADE</u> |
|---|-------------------|----------------------|
| Lacy Ford | \$ 96,744.00 | \$100,744.00 |
| MVP – Wichita | \$115,685.00 | \$117,685.00 |
| Osage Ambulance – Bid 1 (Original Specs) | \$108,225.00 | \$110,225.00 |
| Bid 2 (Specs with options) | \$114,045.00 | \$116,045.00 |
| Kansas Truck Equipment | \$104,008.00 | \$108,008.00 |
| Murphy's Fire & Rescue | \$121,000.00 | \$123,995.00 |

Larry Eubanks stated MVP was the only bidder that met or exceeded specifications and recommended MVP be awarded the bid at \$115,685.

After discussion, Commissioner Strecker moved to accept the bid from MVP in the amount of \$115,685. Commissioner Slaughter seconded. Motion carried.

ACCEPT MOWER BID
SPORTS COMPLEX

KRIER MOWER

Ron Copple, Director of Public Works, advised the commission the city received two bids as follows:

| <u>BIDDERS</u> | <u>MOWER</u> | <u>TRADE PRICE</u> |
|------------------------|--|--------------------|
| Concordia Tractor | John Deere 997 Mid-Ztrak 31 HP Diesel 72" Side Discharge Deck Deluxe Seat | \$10,305.00 |
| Krier Mower & Electric | Snapper 21 HP Diesel Liquid Cooled 73" Out Front Deck with electric lift Wide Stance Rear wheel kit | \$9,285.00 |

Commissioner Jindra moved to accept the bid from Krier Mower & Electric for \$9,285. Commissioner Slaughter seconded. Motion carried.

ACCEPT BID FOR COMPUTER
NETWORK SERVER/DESKTOPS

INTEGRATED SOLUTIONS

Cheryl Lanoue, City Clerk, advised the commission the city received the following bids:

| | <u>INTEGRATED SOLUTIONS</u> | <u>NETWORKS PLUS</u> | <u>COMPUTER SOLUTIONS</u> | <u>COMPUTER SOLUTIONS</u> (WSCA PRICING) |
|--|---------------------------------|--------------------------|---------------------------------|--|
| Server/Desktops (Acc., Software & Labor) | \$16,305.74 | \$16,260.00 | \$19,828.80 195.00 | \$18,393.86 195.00 |
| Less Filtering – 1 st year (Per Sheryl, CSI) | | | \$19,633.80 | \$18,198.86 |
| Optional | | | | |
| HP 17" Flat Panel | 337.00 | 337.00 | 345.00 | 290.00 |
| HP 17" CRT Monitor | 134.53 | 136.00 | 159.00 | 145.00 |
| Converting to DSL | Included | 170.00 | 85.00 @ time of installation | 85.00 @time of installation |
| Maintenance Service Agreement | | | | |
| 10 hours | 747.50 | 850.00 | 650.00 | 650.00 |
| Hourly | 74.75 | 85.00 (all rates) | 85.00 | 85.00 |

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 6, 2005, contd.

Staff recommendation was to go with the low bid of \$16,305.74 for server/desktops, \$4,718 for flat panels and to authorize the City Manager to enter into an agreement for Maintenance Service with Integrated Solutions. Following discussion, Commissioner Jindra moved to accept the bid of \$16,305.74 for the server/desktops and \$4,718 for flat panels. Commissioner Strecker seconded.

**ACCEPT BID FOR
FIRE ESCAPE – BROWN GRAND**

GERARD TANK & STEEL

Eric Johnson, Campbell & Johnson presented the following bid for the fire escape:

Gerard Tank & Steel for \$73,250, with work beginning June 20, 2005 and completing July 29, 2005.

Commissioner Hosie asked if there were enough funds for this project. City Manager Paine advised there was only \$69,000 left and the City would have to pay the difference.

Following discussion, Commissioner Hosie moved to accept the bid from Gerard Tank & Steel for \$73,250. Commissioner Strecker seconded. Motion carried.

**RESOLUTION NO. 2005-1588
AUTHORIZING BOND SALE**

PASSED

The matter of providing for the offering for sale of approximately \$1,205,000 principal amount of General Obligation Tax Increment Bonds, Series 2005-A, came on for consideration and was discussed.

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

**RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION TAX
INCREMENT BONDS, SERIES 2005-A, OF THE CITY OF CONCORDIA, KANSAS.**

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

Aye: Slaughter, Strecker, Hosie, Baumann and Jindra

Nay: None.

The Mayor declared the Resolution duly adopted; the Clerk designating the same Resolution No. 2005-1588.

**RESOLUTION NO. 2005-1589
RETURN FIRE INSURANCE FUNDS
227 E. 6TH - HOOD PROPERTY**

PASSED

Thereupon, there was presented a Resolution entitled:

WHEREAS, THE GOVERNING BODY FINDS THAT THE PREMISES HAS BEEN MADE SAFE AND SECURE AND THAT NO FURTHER NEED EXISTS TO REQUIRE THE CITY TO RETAIN POSSESSION OF INSURANCE PROCEEDS IN THE AMOUNT OF \$6,600.00 THAT WERE PAID TO THE CITY PURSUANT TO SECTION 2-351 OF THE CONCORDIA CODE; 227 E. 6TH

Thereupon, Commissioner Jindra moved that said Resolution be passed, with the condition that the sewer is capped. 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 Hosie, Baumann, Jindra, Strecker and Slaughter.

Nay: None.

Thereupon, the Resolution having been approved by the members of the City Commission, it was given No. 2005-1589, and was directed to be signed by the Mayor, attested by the City Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 6, 2005, contd.

**EXECUTIVE SESSION
NON-ELECTED PERSONNEL**

HELD

At this time Commissioner Hosie moved that the commission recess into executive session for thirty (30) minutes to discuss non-elected personnel. Commissioner Jindra seconded. Motion carried. Time: 6:17 p.m.

The commission reconvened at 6:47 p.m.

At this time Commissioner Hosie moved that the commission recess for an additional five (5) minutes to discuss non-elected personnel. Commissioner Strecker seconded. Motion carried. Inviting Larry Paine. Time: 6:49 p.m.

The commission reconvened at 6:54 p.m.

LAWRENCE PAINE – CITY MANAGER CONTRACT EXTENDED ONE YEAR

Commissioner Hosie moved to extend Lawrence Paine's contract for one year with new salary of \$73,600 and ICMA to \$2500 effective at his anniversary date. Commissioner Jindra seconded. Motion carried.

MAYOR/COMMISSIONER COMMENTS

Commissioner Baumann stated he thought moving executive session to after Commission/Mayor and Staff comments would be a good idea. Mr. Baumann said if the Commission was to have more control the city would have to change the form of government.

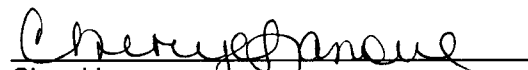
Commissioner Hosie asked City Manager Paine to contact the League regarding what goes in the minutes. Mr. Hosie asked if the cleanup was the same as last year.

Ron Copple, Director of Public Works, stated the city hauled approximately half as many loads as last year during the spring cleanup.

STAFF COMMENTS

Larry Paine, City Manager stated the longevity of the Commission is what makes this form of Government work. Mr. Paine also advised he would be interviewing for the Recreation Specialist on Friday.

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 SPECIAL CALL COMMISSION MEETING HELD APRIL 13, 2005

The governing body met in special call session on April 13, 2005 at 5:30 p.m., in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioners Strecker, Baumann, Slaughter, Jindra, and Hosie.

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: Eric Johnson, Armand Balthazor, Jerome Sorell, Kirk Lowell, Ron Deal, Isadore Bombardier, Jessica LeDuc and Janet Lowell.

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: April 13, 2005
Time: 5:30 o'clock p.m.

The object of said meeting will be as follows:

- 1. Call to order
- 2. Pledge of Allegiance
- 3. Resolution concerning historic preservation aspects of the Theater Redevelopment Project.
- 4. Award Demolition Bid
- 5. 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 5:30 o'clock p.m. on the 13th day of April, 2005 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: April 13, 2005
TIME: 5:30 o'clock p.m.

The object of said meeting will be as follows:

- 1. Call to order
- 2. Pledge of Allegiance
- 3. Resolution concerning historic preservation aspects of the Theater Redevelopment Project.
- 4. Award Demolition Bid
- 5. Adjournment

(Seal)

MINUTES OF THE SPECIAL CALL COMMISSION MEETING HELD APRIL 13, 2005, 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 3:30 p.m. o'clock on the 13th day of April, 2005 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, 4:56 o'clock p.m., April 12, 2005 (Joseph Strecker); 9:50 o'clock a.m., April 13, 2005 (Bob Baumann); 4:46 o'clock p.m. on April 12, 2005 (Art Slaughter); and 10:38 o'clock a.m. on April 13, 2005 (Joe Jindra).

1. Served the same personally on Joseph Strecker. /s/ Lisa Fleming.
2. Served the same personally on Bob Baumann. /s/ Lisa Fleming.
3. Served the same personally on Art Slaughter. /s/ Lisa Fleming.
4. Served the same personally on Joe Jindra /s/ Ann Lowell.

RESOLUTION NO. 2005-1590
HISTORIC PRESERVATION ASPECTS OF
THE THEATER REDEVELOPMENT PROJECT

PASSED

Larry Uri, City Attorney, stated at the meeting on April 6, 2005 the Commission delayed consideration of the demolition bids to consider the State Historical Preservation Office's request. Mr. Uri stated the city is here to determine whether there is no feasible and prudent alternative to the proposal of the city to demolish the structures at 229 W. 6th (Apollo Theater building) and 231 W. 6th (Concordia Lumber Company building). Mr. Uri said that it is the Historical Society's responsibility to review any proposed changes within 500 feet of the Brown Grand. The city feels the buildings should be taken down for public safety and environmental welfare of the community. The City Commission shall examine the relevant factors and consider and determine if the program includes all possible planning to minimize harm to the Brown Grand Theater.

Eric Johnson, Campbell and Johnson, presented several pictures of the structures located at 229 W. 6th and 231 W. 6th, along with the Concordia Lumber Yard located at 240 W. 5th (see attached pictures). The photos show the 500 foot radius from the Brown Grand Theater. Mr. Johnson pointed out the historical characteristics of the buildings located at 231 W. 6th and 240 W. 5th. The other photos show the deterioration of the buildings themselves and the roofs, along with some deterioration on the Monique & Company building. Mr. Johnson stated the roofs on both buildings on West 6th have failed. In the building located at 229 West 6th (Apollo Theater building) there is mold in the curtains, sets, and ceiling. Mr. Johnson stated the building located at 240 W. 5th (Concordia Lumber Yard) has several historical features (see attached pictures). The roof has failed on the South end of the building.

Mr. Uri asked Mr. Johnson based on his examination of the buildings on W. 6th Street, if they need to be torn down.

Mr. Johnson stated in 2001-2002, Wynndee Lee and determined the two theater buildings (229 W. 6th) were structural dangerous and the Concordia Lumber Company (231 W. 6th) was beginning to deteriorate.

Mr. Uri asked if the buildings on West 6th were a fire hazard.

Mr. Johnson said any vacant building is a fire hazard. The back exit doors on the theater buildings were hard to open.

Mr. Uri asked if the mold was an environmental concern.

Mr. Johnson stated mold growth is treated similar to asbestos.

Mr. Uri asked if the main concern of the Historical Society is with the design of the new building and the building located on West 5th.

MINUTES OF THE SPECIAL CALL COMMISSION MEETING HELD APRIL 13, 2005, contd.

Mr. Johnson stated that was correct. The Historical Society wants to make sure the new building is compatible with the Brown Grand.

Bruno Rehbein, City Building Inspector, stated he had done an assessment of the two theater buildings in 2002. Mr. Rehbein stated at that time the roof was failing on the main building and the owner would have the option to repair or remove the structure. Mr. Rehbein stated he did go into the theater building on 4-13-05 and the building had deteriorated.

Kirk Lowell, CloudCorp, stated Bob Swanson had purchased the theater building in July of 2003 and was going to remodel the building. On July 14, 2003 there was a town meeting with approximately 130 to 140 people attending regarding the theater project. The community consensus was to have a theater in the existing downtown location. Mr. Lowell stated B & B Theaters has worked with historic downtowns. They are committed to working with communities that have historical characteristics in their downtown. Mr. Lowell stated there is a company that has donated brick to B & B Theaters to match the downtown characteristic fronts. Mr. Lowell felt Dumbbells has more of a historical presence.

Thereupon, there was presented a Resolution entitled:

WHEREAS, PURSUANT TO A DEVELOPMENT AGREEMENT ENTERED INTO AS OF DECEMBER 15, 2004, BETWEEN THE CITY AND CONCORDIA CINEMA COMPANY, L.L.C., THE CITY HAS UNDERTAKEN TO CONSTRUCT THE FOLLOWING PUBLIC IMPROVEMENTS AS A PART OF THE THEATER REDEVELOPMENT PROJECT, A REDEVELOPMENT PROJECT WITHIN CONCORDIA REDEVELOPMENT DISTRICT 2000: SITE PREPARATION, INCLUDING DEMOLITION AND FOUNDATION REMOVAL OF EXISTING STRUCTURES (APOLLO THEATER BUILDING, 229 W. 6TH STREET, AND CONCORDIA LUMBER COMPANY BUILDING, 231 W. 6TH STREET.), INCLUDING ASBESTOS REMOVAL IF NECESSARY; EARTH FILL AND COMPACTION TO ENGINEERING SPECIFICATIONS FOR BUILDING CONSTRUCTION; AND SUCH OTHER SITE PREPARATION, IF ANY, AS MAY BE REQUIRED TO PREPARE FOR CONSTRUCTION OF A NEW MOVIE THEATER ON REAL ESTATE DESCRIBED AS:

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:

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

Nay: None.

Thereupon, the Resolution having been approved by the members of the City Commission, it was given No. 2005-1590, and was directed to be signed by the Mayor, attested by the City Clerk.

BID AWARD – DEMOLITION
THEATER REDEVELOPMENT PROJECT

SMITH CONSTRUCTION SERVICES

CITY OF CONCORDIA

TABULATION SHEET
THEATER DEMOLITION

DATE: 3-30-05

TIME: 1:30 P.M.

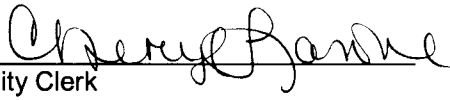
| <u>Contractor</u> | <u>Base Bid</u> | <u>Alt. #1-Office</u> | <u>No. of Days</u> |
|-----------------------------|-----------------|-----------------------|--------------------|
| Midland Wrecking, Inc. | \$137,528 | \$16,028 | 50 |
| Smith Construction Services | \$100,296 | \$ 9,316 | 30 |
| Zigs Backhoe, LLC | \$204,375 | \$ 3,000 | 90 |

MINUTES OF THE SPECIAL CALL COMMISSION MEETING HELD APRIL 13, 2005, contd.

Eric Johnson, Campbell and Johnson, stated the recommendation was to accept the low base bid from Smith Construction Services in the amount of \$100,296. Following discussion, Commissioner Jindra moved to accept the base bid of \$100,296 from Smith Construction Services in the amount of \$100,296. Commissioner Slaughter seconded. Motion Carried.

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.


City Clerk

(Seal)

ATTACHMENTS

IN

FILE

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 20, 2005

The governing body met in regular session on April 20, 2005, 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, Strecker and Slaughter.

Absent: Commissioner Jindra.

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.

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

Visitors: Armand Balthazor, Burl Maley, Larry Remmenga, Jessica LeDuc, Brian Strait, Ron Copple, Kirk Lowell, Pastor Tim Harlan, Margo Hosie, Isadore Bombardier, Jerome Sorell, Denise deRochefort-Reynolds, Ron Deal, Bruno Rehbein, Larry and Janet Eubanks, and Steve Schroeder.

Commissioner Strecker moved to add Executive Session for land acquisition to the agenda as item number 12. Commissioner Baumann seconded. Motion carried.

Commissioner Strecker moved to approve the minutes of the April 6, 2005 regular meeting with the following correction:

Rex Gerard stated after the sewer line was put in (in the 1950's) the dirt was not compacted, which caused the dam to break.

Commissioner Slaughter seconded. Motion carried.

Commissioner Hosie moved to approve the minutes of the April 13th, 2005 special call meeting. Commissioner Strecker seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 7

APPROVED

Appropriation Ordinance No. 7 was approved according to law.

FIRST QUARTER INVESTMENT REPORT

ACCEPTED

Commissioner Hosie moved to place on file the first quarter investment report. Commissioner Strecker seconded. Motion carried.

APPOINTMENTS

RESENDED

Mayor Hosie stated the city received a letter from the Library reporting there was a clerical error in the reporting of the Library Board Trustee terms. At the last meeting, Mary Dean Nelson was appointed to replace Winston Shrader. Marilyn Douglass was appointed to replace Anne Severance, whose term actually does not expire until April 30, 2006. Anne Severance will continue to serve her term. Frank Burwell's term will expire April 30, 2005. He is eligible for reappointment and would like to continue serving a second term. Commissioner Hosie moved to resend the April 6, 2005 appointments. Commissioner Slaughter seconded. Motion carried.

APPOINTMENTS

FRANK BURWELL AND MARY DEAN NELSON

Commissioner Strecker moved to appoint Frank Burwell and Mary Dean Nelson to a four year term on the Library Board (May 1, 2005 through April 30, 2009). Commissioner Slaughter seconded. Motion seconded.

PUBLIC COMMENTS

Armand Balthazor stated he felt the commission should consider the appointment of the vacant city commissioner seat for one year and have an election next April for a two year term.

ELECTION RESULTS

City Clerk Lanoue read the report from the Cloud County Clerk and Election Officer Linda Bogart, certifying the results of the city election for the City of Concordia held April 5, 2005 to be as follows:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 20, 2005, contd.

For City Commission:

| | |
|--------------------|-----|
| Robert Baumann | 770 |
| Darrel Hosie | 736 |
| Andy Mosher | 26 |
| Armand Balthazor | 9 |
| Robert (Bob) Burns | 5 |
| Gregory L. Hattan | 4 |
| Eldon Wisdom | 2 |

Jade Chaput, Todd Whitney, Suzy Tuggle, Joe Breault, Earl R. Thomas, Ima Jean Chavey, Ann Lucko and George DeBauche -One each

Following the reading of the election results from the County Clerk, Commissioner Strecker moved to declare Robert Baumann and Darrel Hosie 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 Robert Baumann and Darrel Hosie for three (3) year terms.

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

PRESENTATION OF PLAQUE

Mayor Pro Tem Strecker presented Commissioner Hosie a plaque for the last year as Mayor and thanked him.

Commissioner Hosie thanked his fellow Commissioners.

Mayor Pro Tem Strecker recessed for fifteen minutes. Time 5:53 p.m.

Commissioner reconvened at 6:08 p.m.

PUBLIC HEARING – KDOT FIVE (5) YEAR PLAN

HELD

Mayor Pro Tem Strecker 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:

| | |
|------|--|
| 2006 | Intersection of US-81 (Lincoln St.) & K-9 (6 th Street) |
| 2006 | 11 th Street, First Avenue to West City Limits |
| 2007 | 18 th Street, State Street to Lincoln Street |
| 2008 | State Street, 18 th Street to 21 st Street and Campus Drive, State to Republican |
| 2009 | Cedar Street, 7 th Street to 11 th Street |
| 2010 | Matthew Street, 6 th Street to 11 th Street |

Mayor Pro Tem Strecker asked for any public comments.

Mayor Pro Tem Strecker closed the public hearing on the five (5) year KDOT Plan.

VEHICLE SPECIFICATIONS

APPROVED

Larry Paine, City Manager advised the commission about the vehicle specifications for the Public Works, Utilities and the Police Department. Commissioner Hosie moved to approve the vehicle specifications. Commissioner Baumann seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 20, 2005, contd.

PLAN TO FILL CITY COMMISSION VACANCY

APPROVED

Mayor Pro Tem Strecker stated Commissioner Baumann will be accepting an offer from the city to become the next Recreation Specialist. As a result, Commissioner Baumann will be resigning his position. The following would be the proposed plan to fill the vacant position.

1. Applicants submit a letter of interest and an election form called Statement of Substantial Interest.
2. Applicants must be electors of the City of Concordia.
3. Applications will be accepted at City Hall until April 29, 2005 at 4:30 p.m.
4. Copies of applications will be sent to Commissioners for individual review April 29, 2005.
5. Commission will meet in work session on Monday, May 2, 2005 to review applications and conduct possible interviews.
6. Commission will hold Special Meeting on Tuesday, May 3, 2005 to appoint a new commissioner.

Following discussion, Commissioner Hosie moved to approve the plan above to fill the commission vacancy. Commissioner Slaughter seconded. Motion carried.

RESOLUTION NO. 2005-1591- 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 Baumann seconded by Commissioner Slaughter, the Resolution was adopted by the following roll call vote:

Aye: Commissioners Strecker, Baumann, Hosie and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1591 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1592 REVISION OF STREET CONSTRUCTION POLICY

APPROVED

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

A RESOLUTION BY THE GOVERNING BODY FINDS IT ADVISABLE AND IN THE BEST INTERESTS OF THE CITY TO REVISE COMMISSION POLICY NO. 2 SO AS TO PROVIDE THAT THE CITY AT LARGE MAY FINANCE THE CONSTRUCTION OF STREETS, ALLEYS OR SIDEWALKS, AND CURBS AND GUTTERS.

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

Aye: Commissioners Strecker, Baumann, Hosie and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1592 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1593 SUNFLOWER ROAD AGREEMENT

APPROVED

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

A RESOLUTION BY THE GOVERNING BODY FINDS IT ADVISABLE TO ENTER INTO AN AGREEMENT HAS BEEN DEVELOPED BETWEEN THE CITY, CLOUD COUNTY DEVELOPMENT CORPORATION AND CLOUD COUNTY HEALTH CENTER, INC. TO PROVIDE FOR THE DEVELOPMENT OF CERTAIN RESIDENTIAL LOTS, TO PROMOTE THE CONSTRUCTION OF NEW HOMES BY MEDICAL PROFESSIONALS AND TO OPEN SUNFLOWER ROAD, ALL TO THE ADVANTAGE OF THE CITIZENS OF THE CITY.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 20, 2005, contd.

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, Hosie and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1593 and was signed by the Mayor and attested by the Clerk.

ORDINANCE NO. 2005-2887 AMEND CODE OF ORDINANCE – ARCHERY RANGES APPROVED

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

AN ORDINANCE AMENDING THE UNIFORM PUBLIC OFFENSE CODE OF THE CITY OF CONCORDIA SO AS TO PERMIT OPERATION OF BOWS AND ARROWS AT AN OUTDOOR ARCHERY RANGE UNDER THE SUPERVISION OF COMMUNITY COLLEGE OR SCHOOL DISTRICTS; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 14-7.

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

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2005-2887 signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Baumann stated the Swim Team meeting on April 24, 2005 at 4:00 p.m. would be at the Concordia Middle School, not the community room.

Commissioner Baumann recognized Larry Remmenga, Utility Director. Mr. Remmenga was appointed to the Kansas Rural Water Association for a seven (7) year term.

Commissioner Baumann announced he would be resigning as City Commissioner after this meeting. Commissioner Baumann thanked Mr. Paine and his fellow commissioners. Commissioner Baumann said he enjoyed the three year term as City Commissioner.

Mayor Pro Tem thanked Commissioner Baumann and stated he looked forward to working with him as the Recreation Specialist.

Commissioner Hosie asked if the Concordia Lumber Yard Building on 5th Street could be placed on the agenda. Mr. Hosie felt that we either needed to move, sell, repair or demolish the building.

EXECUTIVE SESSION

LAND ACQUISITION

At this time Commissioner Strecker moved that the commission recess into executive session for ten (10) minutes to discuss land acquisition. Commissioner Hosie seconded. Motion carried. Time: 6:34 p.m.

The commission reconvened at 6:44 p.m.

Mayor Pro Tem Strecker announced no action was taken.

STAFF COMMENTS

Larry Paine, City Manager, asked for some direction on the Concordia Lumber Building.

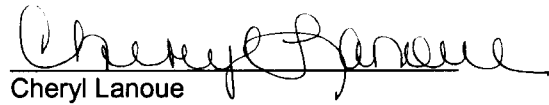
Commissioner Hosie stated he would like to see sealed bids on the building with several conditions.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 20, 2005, contd.

Larry Remmenga stated Brain Strait would no longer be attending the city commission meeting and we would miss him.

Mayor Pro-tem Strecker announced there would be a study session on May 2nd at 5:30 p.m. at City Hall, in the community room.

There being no further business, Commissioner Slaughter moved to adjourn the meeting to May 3rd, 2005, 5:30 p.m. at City Hall. Commissioner Baumann seconded. Motion carried.


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD MAY 3, 2005

The governing body met in adjourned session on May 3, 2005, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Jindra presiding and the following members present: Commissioners Strecker, Hosie 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.

Visitors: Burl Maley, Larry Remmenga, Jessica LeDuc, Ron Copple, Isadore Bombardier, Arlene Clayton, Sharon Jensen, Bess Payton, Jerome Sorell, Diane McNichols, Mark Morgan, Kyle Taylor, Larry Eubanks, and Toby Nosker.

Mayor Jindra added an item to the agenda. New Business. Item C. Demolition of the Lumber Yard Office.

Commissioner Slaughter moved to approve the minutes of the April 20, 2005 regular meeting as written. Commissioner Strecker seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 8

APPROVED

Commissioner Strecker moved to approve Appropriation Ordinance No. 8. Commissioner Slaughter seconded. Motion carried.

PROCLAMATION – BUDDY POPPY DAY

Mayor Jindra read the proclamation and the commission declared the week of May 16-21, 2005 as Buddy Poppy Week for the Veterans of Foreign Wars in the United States.

PUBLIC COMMENTS

Izzy Bombardier said he was down on 1st Street and the Public Works department was doing a great job.

Sharon Jensen thanked the city Street Department for the repairs they do and the removal of the trees.

APPOINTMENT TO CITY COMMISSION

Larry Paine, City Manager, stated the city received six (6) letters of intent for city commission seat vacated by Bob Baumann as follows:

| | |
|--------------------|-----------------------|
| Charles B. Johnson | 1216 Archer |
| Armand Balthazor | 425 E 5 th |
| Isadore Bombardier | 610 E 7 th |
| Phil Gilliland | 1409 Sunset Trail |
| S. Christy Hasch | 435 W 7 th |
| Patrick Cossel | 423 W. 9th |

Mr. Paine stated by statute this person would fill the remainder of Bob Baumann's term. If the commission wanted an election to fill the vacancy they would have to do a charter ordinance.

Commissioner Strecker moved to appoint Phil Gilliland to the Office of City Commissioner for the remainder of the three (3) year term. 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 Phil Gilliland for the remainder of a three (3) year term.

GENERAL OBLIGATION TAX INCREMENT BOND BID AWARD

UMB

The Clerk reported that pursuant to the Notice of Bond Sale heretofore duly given, bids for the purchase of \$1,205,000 principal amount of General Obligation Tax Increment Bonds, Series 2005-A, dated May 1, 2005, of the City had been received. A tabulation of said bids is set forth as **EXHIBIT A** hereto.

Thereupon, the governing body reviewed and considered the bids and it was found and determined that the bid of UMB, N.A., was the best bid for the Bonds, a copy of which is attached hereto as **EXHIBIT B**.

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD MAY 3, 2005, contd.

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

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

Nay: None.

DEMOLITION OF CONCORDIA LUMBER YARD OFFICE

Larry Paine, asked for direction on the lumber yard office building. Do we demolish the building, sell the building to be moved or do we sell it on the current site. Mr. Paine stated we have this meeting and the next meeting to decide.

Commissioner Hosie stated he would be in favor of offering the building for sale at present location with conditions attached to the sale. (example roof repair, paint, etc.)

Commissioner Strecker was in favor of someone moving it.

Following discussion, Commissioner Strecker moved to give the public one last chance to buy and move the building and if no acceptable bids were received, the building would be demolished. Commissioner Slaughter seconded. The vote being as follows:

Aye: Commissioners Strecker, Jindra, Slaughter and Gilliland.

Nay: Commissioner Hosie.

Motion carried.

ORDINANCE NO. 2005-2888(ISSUANCE OF GO TAX INCREMENT BONDS)**APPROVED**

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$1,205,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION TAX INCREMENT BONDS, SERIES 2005-A, OF THE CITY OF CONCORDIA, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; PROVIDING FOR THE ALLOCATION OF CERTAIN PLEDGED REVENUES DERIVED FROM A REDEVELOPMENT DISTRICT; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

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 governing body, the vote being as follows:

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

Nay: None.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2005-2888, was signed and approved by the Mayor and attested by the Clerk and was directed to be published one time in the official newspaper of the City.

RESOLUTION NO. 2005-1594-(DIRECTING THE SALE AND DELIVERY OF BONDS)**APPROVED**

Thereupon, there was presented a Resolution entitled:

A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF \$1,205,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION TAX INCREMENT BONDS, SERIES 2005-A, OF THE CITY OF CONCORDIA, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 2005-2888 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD MAY 3, 2005, contd.

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, the vote being as follows:

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2005-1594 and was signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Hosie welcomed Commissioner Gilliland.

Commissioner Strecker also welcomed Commissioner Gilliland and thanked the other candidates and encouraged them and anyone else to volunteer for government boards.

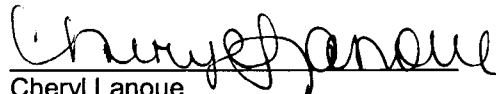
Commissioner Gilliland expressed his appreciation and encouraged people to volunteer for the Planning Commission or any other Board.

STAFF COMMENTS

Larry Paine, stated Smith Construction was given the notice to proceed on the theater demolition and Hill Street is planned for the first of June.

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

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


Cheryl Lanoue
City Clerk

(Seal)

City of Concordia, Kansas
\$1,205,000 GO Tax Increment Bonds, Series 2005-A

Prepared May 3, 2005
By SPRINGSTED Incorporated

Summary of Bidders Ranked by True Interest Cost

| Rank Bidder | TIC (%) | NIC (%) | NIC (\$) |
|---------------------------------|-----------|-----------|---------------|
| 1. UMB, N.A. | 3.860627% | 3.870130% | \$ 402,590.25 |
| 2. Commerce Bank, N.A. | 3.972333% | 3.969390% | \$ 412,915.75 |
| 3. Country Club Bank, N.A. | 3.980808% | 3.975552% | \$ 413,556.75 |
| 4. Gold Capital Management Inc. | 4.170494% | 4.147308% | \$ 431,423.75 |

Purchaser (Based on TIC%): UMB, N.A.
 Price: \$ 1,199,216.00
 Premium (or Discount): \$ -5,784.00
 Coupons:
 11/ 1/ 5 2.450
 11/ 1/ 6 2.750
 11/ 1/ 7 2.900
 11/ 1/ 8 3.050
 11/ 1/ 9 3.150
 11/ 1/10 3.250
 11/ 1/11 3.350
 11/ 1/12 3.500
 11/ 1/13 3.600
 11/ 1/14 3.700
 11/ 1/15 3.800
 11/ 1/16 3.900
 11/ 1/17 4.000
 11/ 1/18 4.050
 11/ 1/19 4.100
 11/ 1/20 4.125

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

TO: Cheryl Lanoue, Clerk
 City of Concordia, Kansas

May 3, 2005

For \$1,205,000 principal amount of General Obligation Tax Increment Bonds, Series 2005-A, of the City of Concordia, Kansas, to be dated May 1, 2005, as described in your Notice of Bond Sale dated April 6, 2005, said Bonds to bear interest as follows:

| Stated Maturity | Principal Amount | Annual Rate of Interest | Stated Maturity | Principal Amount | Annual Rate of Interest |
|--------------------|---------------------|-------------------------------|--------------------|---------------------|-------------------------------|
| <u>November 1</u> | | | <u>November 1</u> | | |
| 2005 | \$80,000 | <u>2.45</u> % | 2013 | \$75,000 | <u>3.60</u> % |
| 2006 | 60,000 | <u>2.75</u> % | 2014 | 75,000 | <u>3.70</u> % |
| 2007 | 60,000 | <u>2.90</u> % | 2015 | 80,000 | <u>3.80</u> % |
| 2008 | 60,000 | <u>3.05</u> % | 2016 | 80,000 | <u>3.90</u> % |
| 2009 | 65,000 | <u>3.15</u> % | 2017 | 85,000 | <u>4.00</u> % |
| 2010 | 65,000 | <u>3.25</u> % | 2018 | 90,000 | <u>4.05</u> % |
| 2011 | 65,000 | <u>3.35</u> % | 2019 | 95,000 | <u>4.10</u> % |
| 2012 | 70,000 | <u>3.50</u> % | 2020 | 100,000 | <u>4.25</u> % |

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

Total interest cost to maturity at the rates specified \$ 396,806.25
 Discount (if any) not to exceed 1.3% \$ 5,184.00
 Premium (if any) (\$ 0)
 Net interest cost \$ 402,590.25
 True Interest Cost 3.8606 %

- ☐ The Bidder elects to purchase Municipal Bond Insurance from [Ambac] [MBIA] [FSA] [FGIC] [XLCA]. Circle One.
☐ The Bidder elects to have the following Term Bonds:

| Maturity Date | Years | Amount |
|-------------------|----------------|----------|
| November 1, _____ | _____ to _____ | \$ _____ |
| November 1, _____ | _____ to _____ | \$ _____ |

subject to mandatory redemption requirements in the amounts and at the times shown above.

This proposal is subject to all terms and conditions contained in said Notice of Bond Sale, and if the undersigned is the successful bidder, the undersigned will comply with all of the provisions contained in said Notice. A cashier's or certified check or a qualified financial surety bond in the amount of \$24,100 payable to the order of the Issuer, accompanies this proposal as an evidence of good faith. The acceptance of this proposal by the Issuer shall constitute a contract between the Issuer and the successful bidder for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission.

Submitted by: UMB, n.a.

[LIST ACCOUNT MEMBERS ON REVERSE]

By: Kristin Koziol

Telephone No. (816) 860-7223

ACCEPTANCE

Pursuant to action duly taken by the Governing Body of the City of Concordia, Kansas, the above proposal is hereby accepted on May 3, 2005.

Attest:

Cheryl Lanoue
 Clerk

[Signature]
 Mayor

NOTE: No additions or alterations in the above proposal form shall be made, and any erasures may cause rejection of any bid. Sealed bids may be filed with the Clerk, Cheryl Lanoue, 701 Washington, P.O. Box 603, Concordia, Kansas 66901, facsimile bids may be filed with Springsted Incorporated, Fax No. 651-223-3046, and electronic bids may be submitted through i-Deal LLC's BIDCOMP/PARTY electronic bid system, at or prior to 11:00 a.m., Central Daylight Time, on May 3, 2005. Any bid received after such time will be returned to the bidder.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 18, 2005

The governing body met in regular session on May 18, 2005, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Jindra presiding and the following members present: Commissioners Strecker, Hosie, Slaughter, and Gilliland.

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.

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

Visitors: Armand Balthazor, Burl Maley, Larry Remmenga, Jessica LeDuc, Toby Nosker, Ron Copple, Pastor John Ward, Isadore Bombardier, Eric Johnson, Jerome Sorell, Denise deRocheport Reynolds, Diane McNichols, Scott Moore, Verna and Dale Ferguson, Susan Martin, Jim Douglas, Bruno Rehbein, Aline Luecke, Ted and Betty Samuelson, Jim Workman, Arlene Clayton, Larry Eubanks, Ted Collins, Paul Nelson, Ron Deal, Steve Dailey, Roberta and Richard Lowrey, Lorene Baxa, Lee Lowell, Elisa and Kaleb Gerard.

Mayor Jindra stated item number six (6) Resolutions would be moved to after new business, comments on the ordinance for secondary smoke would be heard at the time of the ordinance was being considered and add executive session after staff comments.

Commissioner Strecker moved to approve the minutes of the May 3, 2005 regular meeting as written. Commissioner Slaughter seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 9

APPROVED

Commissioner Strecker moved to approve Appropriation Ordinance No. 9. Commissioner Hosie seconded. Motion carried.

APPOINTMENT - BOARD OF BUILDING TRADES

ALAN TRIGG & ROBERT HUBER

City Manager Paine advised the commission that Alan Trigg and Bob Huber's terms on the Board of Building Trade expires on May 31, 2005. The city advertised for interest from the public with no response. Mr. Trigg and Mr. Huber had been contacted and are willing to serve another three (3) year term. Commissioner Hosie moved to reappoint Alan Trigg and Robert Huber, each to a three- (3) year term on the Board of Building Trades (6-1-05 through 5-31-08). Commissioner Slaughter seconded. Motion carried.

PUBLIC COMMENTS

Armand Balthazor stated he was in favor of replacing the roof on the lumber building, but not in favor of spending \$75,000 to repair it. Mr. Balthazor said we should tear it down instead of spending \$75,000. Mr. Balthazor commented on 11th Street and the condition it was in.

ACCEPT BID ON MOVING CONCORDIA LUMBER BUILDING

City Attorney Uri advised the commission the city received one (1) bid for the Concordia Lumber Building for \$1.00 from Arlene F. Clayton. Mr. Uri stated in the bid document the commission could consider requiring an additional deposit in case the building was not removed by June 10, 2005. Mr. Uri commented Ms. Clayton does not have funds to cover the deposit. Mr. Uri stated he recommends the Commission reject the one bid from Arlene Clayton. Following discussion, Commissioner Strecker moved to reject the bid from Arlene Clayton, in the amount of \$1.00 and proceed with the demolition. Commissioner Slaughter seconded. Motion carried.

ACCEPT VEHICLE BIDS PUBLIC WORKS & PUBLIC UTILITIES

Larry Paine, City Manager, advised the commission the city solicited bids for a new police car, a new pickup for each the public works and public utilities department. The vehicle bids were presented to the commission.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 18, 2005, contd.

TABULATION SHEET
VEHICLE BIDS
PUBLIC WORKS, POLICE AND UTILITY DEPARTMENTS

DATE: 5-10-2005
TIME: 2:00 P.M.

| | WITHOUT TRADE-IN | WITH TRADE-IN |
|----------------------------------|------------------|---------------|
| POLICE CAR | | |
| Babe Houser Motor | | |
| No bid | | |
| Womack Sunshine Ford | | |
| No bid | | |
| PUBLIC WORKS | | |
| Babe Houser Motor | | |
| 2005 Chevrolet 1/2 ton, long bed | \$15,588.00 | \$15,388.00 |
| (trade-in - 1987 Chevy 1/2 ton) | | |
| Womack Sunshine Ford | | |
| 2005 Ford F150 | \$14,508.60 | \$14,408.60 |
| UTILITY DEPARTMENT | | |
| Babe Houser Motor | | |
| 2005 Chevrolet CC15903 | \$15,588.00 | \$15,088.00 |
| Womack Sunshine Ford | | |
| 2005 Ford F-150 | \$14,508.60 | \$14,008.60 |

Following discussion, Commissioner Hosie moved to accept the low bid from Womack Sunshine Ford in the amount of \$14,408.60 for Public Works vehicle, with trade and \$14,008.60 for Utility Department vehicle, with trade. Commissioner Strecker seconded. Motion carried.

RESOLUTION NO. 2005-1595 –
CERTAIN FINDINGS ON CONCORDIA LUMBER BUILDING APPROVED

Larry Uri, City Attorney, advised the commission of the following:

- The Concordia Lumber Building is more than 400 feet removed from the Brown Grand Theatre, and is on a side street in an area not immediately visible from the Brown Grand.
- The structure is located in an area designated as blighted by the governing body during the process of establishing Concordia Redevelopment District 2000.
- The City engineer has found the roof structure of the building is severely damaged. The cost of repairing the exterior to its original state would be approximately \$75,000.
- The building is vacant and dilapidated condition of the structure makes it a fire hazard. Vacancy also promotes other health and safety hazards.
- The structure has been advertised for sale.
- Construction of a new parking lot would benefit the Brown Grand Theatre by providing additional parking.

Thereupon, there was presented a Resolution entitled:

WHEREAS, PURSUANT TO A DEVELOPMENT AGREEMENT ENTERED INTO AS OF DECEMBER 15, 2004, BETWEEN THE CITY AND CONCORDIA CINEMA COMPANY, L.L.C., THE CITY HAS UNDERTAKEN TO CONSTRUCT THE FOLLOWING PUBLIC IMPROVEMENTS AS A PART OF THE THEATER REDEVELOPMENT PROJECT, A REDEVELOPMENT PROJECT WITHIN CONCORDIA REDEVELOPMENT DISTRICT 2000: SITE PREPARATION, INCLUDING DEMOLITION AND FOUNDATION REMOVAL OF EXISTING STRUCTURES (CONCORDIA LUMBER COMPANY 240 W 5TH ST.), INCLUDING FOUNDATION REMOVAL, CONSTRUCTION OF PAVED PUBLIC PARKING LOT, WITH APPROPRIATE AND ADEQUATE LIGHTING AND LANDSCAPING, ON REAL ESTATE.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 18, 2005, contd.

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, the vote being as follows:

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2005-1595 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1596 - PURCHASING
LAND FOR PARKING LOT BEHIND THEATER**

APPROVED

Thereupon, there was presented a Resolution entitled:

WHEREAS, A DEVELOPMENT AGREEMENT ENTERED INTO AS OF DECEMBER 15, 2004 BETWEEN THE CITY AND CONCORDIA CINEMA COMPANY, L.L.C. PROVIDES THAT THE CITY IS TO UNDERTAKE DEMOLITION OF AN EXISTING STRUCTURE (CONCORDIA LUMBER COMPANY, 240 W 5TH ST.), FOUNDATION REMOVAL, AND CONSTRUCTION OF PAVED PUBLIC PARKING LOT, WITH APPROPRIATE AND ADEQUATE LIGHTING AND LANDSCAPING, ON REAL ESTATE. THE DEVELOPMENT AGREEMENT PROVIDES THAT CONCORDIA CINEMA COMPANY, L.L.C. WILL CONVEY THE ABOVE-DESCRIBED LOTS 14 – 20, BLOCK 149 TO THE CITY FOR THE SUM OF \$35,000, SUBJECT TO TERMS AND CONDITIONS SET FORTH IN THE DEVELOPMENT AGREEMENT.

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:

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2005-1596 and was signed by the Mayor and attested by the Clerk.

ORDINANCE NO. 2005-2889(SECONDARY SMOKE)

APPROVED

Dr. Paul Nelson stated second hand smoke is a health issue. There are approximately 4,000 deaths in Kansas from second hand smoke.

Ted Collins stated the ordinance being proposed would eliminate smoking in all restaurants in the community except for licensed clubs, bowling alleys and bingo halls. This ordinance is similar to Lyons, Lawrence, Salina and Hutchinson.

Lee Lowell stated there are ten (10) states that are smoke free.

Diane McNichols stated the restaurants are in favor of the ordinance. Ms. McNichols stated restaurants don't lose money or business by going smoke free.

Isadore Bombardier stated he is in support of the ordinance.

Kaleb Gerard stated he supports the ordinance.

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE PROHIBITING SMOKING IN RESTAURANTS AND CERTAIN OTHER PLACES THAT SERVE FOOD, AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW ARTICLE VII TO CHAPTER 11 OF THE CONCORDIA CODE.

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

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

Nay: None.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 18, 2005, contd.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2005-2889, was signed and approved by the Mayor and attested by the Clerk and was directed to be published one time in the official newspaper of the City.

ORDINANCE NO. 2005-2890 - PARKING FOR
PURPOSE OF SALE ON PRIVATE PROPERTY

APPROVED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE PROHIBITING THE PARKING OF VEHICLES FOR SALE ON PRIVATE PROPERTY WITHOUT THE PERMISSION OF THE OWNER; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 19-8.

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

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

Nay: None.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2005-2890, was signed and approved by the Mayor and attested by the Clerk and was directed to be published one time in the official newspaper of the City.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

DEMOLITION OF CONCORDIA LUMBER BUILDING

SMITH CONSTRUCTION

Commissioner Hosie moved to accept the bid from Smith Construction for the demolition of the Concordia Lumber Building. Commissioner Strecker seconded. Motion carried.

STAFF COMMENTS

Larry Paine, City Manager, advised the City Commission the city received a letter from The Secretary of Transportation awarding the city an \$118,000 grant, of which \$94,400 would be federal money and \$23,600 would come from the Orphan Train folks.

Mr. Paine stated 11th Street has been scheduled for a mill and overlay this year.

Ron Copple, Director of Public Works, stated the seven (7) blocks would be done city at large and finishing 11st Street from the hospital to west city limits in 2007 budget.

Bruno Rehbein, Building Inspector, encouraged citizens to fill out an expression of interest form for vacancies on the Planning Commission and Board of Zoning Appeals.

EXECUTIVE SESSION

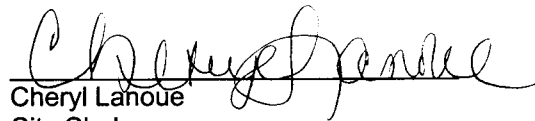
LAND ACQUISITION

At this time Commissioner Strecker moved that the commission recess into executive session for fifteen (15) minutes to discuss land acquisition. Commissioner Jindra seconded. Motion carried. Time: 6:24 p.m.

The commission reconvened at 6:39 p.m.

No action needed.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 1, 2005

The governing body met in regular session on June 1, 2005, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Jindra presiding and the following members present: Commissioners Strecker, Gilliland, Hosie 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.

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

Visitors: Burl Maley, Larry Remmenga, Jessica LeDuc, Toby Nosker, Ron Copple, Kirk Lowell, Pastor Gay Robertson, Bruno Rehbein, Dana Champlin, Amy Maxwell, Witney Sorell, Erin Vance, Blair Vignery, Jessica, Jocelyn, John and Debra Forshee, Dick and Cathie Switzer, Marcia Sorell, Ron Deal, Diane McNichols, Isadore Bombardier, Ted Collins, Janet and Larry Eubanks, John States, Paul Nelson, Rachel Widen, Maria Jindra, Bev Mortimer, Cheryl Hochhalter, Greg Ferguson, Abby James, Richard Lowrey, Sarah Fogel and Josie Mark.

Mayor Jindra stated there would be a power point presentation before public comments.

Commissioner Strecker moved to approve the minutes of the June 1, 2005 regular meeting as written. Commissioner Gilliland seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 10

APPROVED

Commissioner Jindra moved to approve Appropriation Ordinance No. 10. Commissioner Strecker seconded. Motion carried.

APPOINTMENTS – PLANNING COMMISSION

ISADORE BOMBARDIER AND PATRICK COSSEL

Bruno Rehbein stated the Planning Commission has two vacancies, which Isadore Bombardier and Patrick Cossel have expressed interest in. Commissioner Hosie moved to appoint Isadore Bombardier and Patrick Cossel to the Planning Commission with the terms expiring November 1, 2005 and November 1, 2006 respectively. Commissioner Slaughter seconded. Motion carried.

PROCLAMATION – CONCORDIA HIGH SCHOOL GIRLS' TRACK TEAM

City Manager Paine presented the power point presentation.

Mayor Jindra read the proclamation and proclaimed their appreciation of the accomplishments of the 2005 Concordia High School girls' track team.

Mayor Jindra recessed for ten (10) minutes. Time: 5:42 p.m. Back 5:52 p.m.

PUBLIC COMMENTS

There were no public comments.

PETITION – CURB & GUTTER PROJECT RICHARD WAHL – 627 W. 10TH

ACCEPTED

Larry Paine, City Manager, advised the commission the city received six signed petitions for the curb and gutter replacement project.

Commissioner Jindra moved to accept the petition from Richard Wahl (627 W 10th). Commissioner Strecker seconded. Motion carried.

PETITION – CURB & GUTTER PROJECT VICTORY FAITH CHURCH – WEST – 607 E. 6TH

ACCEPTED

Commissioner Strecker moved to accept the petition from Victory Faith Church (West). Commissioner Hosie seconded. Motion carried.

PETITION – CURB & GUTTER PROJECT VICTORY FAITH CHURCH – EAST – 607 E. 6TH

ACCEPTED

Commissioner Gilliland moved to accept the petition from Victory Faith Church (East). Commissioner Slaughter seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 1, 2005, contd.

PETITION – CURB & GUTTER PROJECT
JAMES BUOY – 804 REPUBLICAN

ACCEPTED

Commissioner Hosie moved to accept the petition from James Buoy (804 Republican).
 Commissioner Strecker seconded. Motion carried.

PETITION – CURB & GUTTER PROJECT
CLAY ALDERSON – 612 W. 7TH

ACCEPTED

Commissioner Jindra moved to accept the petition from Clay Alderson (612 W 7th).
 Commissioner Slaughter seconded. Motion carried.

PETITION – CURB & GUTTER PROJECT
JEFF WOMACK – 421 W. 17TH

ACCEPTED

Commissioner Hosie moved to accept the petition from Jeff Womack (421 W 17th).
 Commissioner Strecker seconded. Motion carried.

SBC FOUNDATION GRANT APPLICATION

APPROVED

Kirk Lowell, CloudCorp, advised the city commission that CloudCorp would like to be a co-applicant with the city for a grant application to SBC. The city was a co-applicant in 1999 and 2002.

Commissioner Hosie moved to approve the SBC Foundation Grant Application. Commissioner Slaughter seconded. Motion carried.

RESOLUTION NO. 2005-1597
 CURB & GUTTER REPAIR –
WAHL – 627 W. 10TH

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, Gilliland, Hosie and Strecker.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2005-1597 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1598
 CURB & GUTTER REPAIR –
VICTORY FAITH – WEST – 607 E. 6TH

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 Gilliland. 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, Gilliland, Hosie and Strecker.

Nay: None

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 1, 2005, contd.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2005-1598 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1599
CURB & GUTTER REPAIR –
VICTORY FAITH – EAST – 607 E. 6TH

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 Gilliland 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, Gilliland, Hosie and Strecker.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2005-1599 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1600
CURB & GUTTER REPAIR –
JAMES BUOY – 804 REPUBLICAN

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 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, Gilliland, Hosie and Strecker.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2005-1600 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1601
CURB & GUTTER REPAIR –
CLAY ALDERSON – 612 W. 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 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:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 1, 2005, contd.

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

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2005-1601 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1602
CURB & GUTTER REPAIR –
JEFF WOMACK – 421 W. 17TH

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, Gilliland, Hosie and Strecker.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2005-1602 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1603 -
NUISANCE ABATEMENT- EATON – 323 E. 12TH

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 (323 E. 12TH)

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, Slaughter, Jindra and Gilliland.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2005-1603 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1604 -
NUISANCE ABATEMENT- HUD – 319 E. 11TH

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 6 & 7, BLOCK 94 & S. 13 OF VAC. COURT ST. ADJ. (319 E 11TH)

Thereupon, Commissioner Gilliland 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, Slaughter, Jindra and Gilliland.

Nay: None.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 1, 2005, contd.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2005-1604 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1605 – 604 W. 6TH
NUISANCE ABATEMENT- MATTHEWS-KEY

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. 139' OF LOT 1, BLOCK 137, GAYLORD & MATTHEW'S ADDITION (604 W. 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, Slaughter, Jindra and Gilliland.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2005-1605 and was signed by the Mayor and attested by the Clerk.

ORDINANCE NO. 2005-2891 – MANUFACTURED &
MOBILE HOMES -TEXT AMENDMENT - ZONING REGULATIONS

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.

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE OF THE CONCORDIA CITY COMMISSION AMENDING THE CONCORDIA ZONING REGULATIONS BY ADOPTING AMENDMENTS TO ARTICLES 2, 13 AND 14 REGULATING MOBILE HOMES AND MANUFACTURED HOUSING.

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

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

Nay: None.

Thereupon, the Ordinance having been adopted by vote of the members of the City Commission it was given No. 2005-2891, and was directed to be signed by the Mayor and attested by the City Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Hosie congratulated the girls and boys track teams.

EXECUTIVE SESSION

LAND ACQUISITION

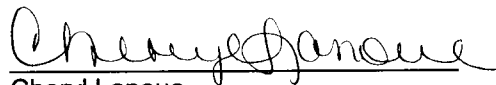
At this time, Commissioner Strecker moved that the commission recess into executive session for thirty (30) minutes to discuss land acquisition. Commissioner Jindra seconded. Motion carried. Time: 6:13 p.m.

The commission reconvened at 6:43 p.m.

No action required.

Mayor announced there would be study session following the meeting.

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 JUNE 15, 2005

The governing body met in regular session on June 15, 2005, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Jindra presiding and the following members present: Commissioners Strecker, Gilliland, Hosie 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.

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

Visitors: Burl Maley, Larry Remmenga, Jessica LeDuc, Toby Nosker, Ron Copple, Bruno Rehbein, Janet and Larry Eubanks, Isadore Bombardier, Paul Nelson, Doug Glenn and Pastor Gay Robertson.

Commissioner Strecker moved to approve the minutes of the June 1, 2005 regular meeting as written. Commissioner Slaughter seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 11

APPROVED

Commissioner Hosie moved to approve Appropriation Ordinance No. 11. Commissioner Jindra seconded. Motion carried.

PUBLIC COMMENTS

There were no public comments.

HOUSING AUTHORITY – APPOINTMENT

JEROME SORELL

City Manager Paine stated Jerome Sorell completed an Expression of Interest Form and indicated he would be willing to serve on the Housing Authority. Commissioner Strecker moved to appoint Jerome Sorell to fill the position vacated by Connie Anderson. His term will begin immediately and end 12-31-08. Commissioner Gilliland seconded. Motion carried.

ACCEPTANCE OF 2004 AUDIT

Mr. Doug Glenn, Mayer, Hoffman, McCann, PC, thanked the Commission for allowing Mayer, Hoffman, McCann to perform the City's audit. Commissioner Hosie asked about the citizen which contacted their firm directly, regarding the City of Concordia's audit. Mr. Glenn stated he had spent time responding after the okay came from Mr. Paine. The cost for the letter or letters was billed to the city. Commissioner Hosie stated the city then billed the citizen and asked if the citizen had paid the bill. The citizen had not paid the amount. Following discussion, Commissioner Hosie moved to accept the 2004 audit. Commissioner Slaughter seconded. Motion carried.

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 Jindra moved to approve the donation of \$500 to the Fireworks Committee. Commissioner Gilliland seconded. Motion carried.

DESIGNATION OF OFFICIAL DEPOSITORY

APPROVED

Commissioner Hosie moved to authorize Central National Bank as an official depository starting July 15, 2005. Commissioner Slaughter seconded. Motion carried.

ORDINANCE NO. 2005-2892 –ZONING CHANGE

LOTS 1 & 9, SKEELS SUBDIVISION, EAST CONCORDIA, BLK. 1

APPROVED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN SPECIFICALLY DESCRIBED PROPERTY IN THE CITY OF CONCORDIA, KANSAS; ORDERING THE OFFICIAL CITY ZONING DISTRICT MAP TO BE CHANGED TO REFLECT SUCH AMENDMENTS; AND AMENDING SECTION 3-201 OF ARTICLE 3 OF THE ZONING ORDINANCE FOR THE CITY OF CONCORDIA, KANSAS.

Thereupon, Commissioner Strecker 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:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 15, 2005, contd.

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

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2005-2892 signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1606-
NUISANCE ABATEMENT – M. MARCOTTE – 128 E. 12TH**

APPROVED

Thereupon, there was presented to the City Commission 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 3, BLOCK 69, ORIGINAL TOWN, CONCORDIA (128 E. 12TH)

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1606 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1607-
NUISANCE ABATEMENT – D. MENDENHALL – 103 STRAIN**

APPROVED

Thereupon, there was presented to the City Commission 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, INTERSTATE ADDITION (103 STRAIN)

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, Jindra, Gilliland, Hosie and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1607 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1608-
NUISANCE ABATEMENT – J. MENDENHALL – 119 STRAIN**

APPROVED

Thereupon, there was presented to the City Commission 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: E2 OF LOT 13 AND ALL OF LOT 14, BLOCK 5, INTERSTATE ADDITION (119 STRAIN)

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1608 and was signed by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 15, 2005, contd.

RESOLUTION NO. 2005-1609-
NUISANCE ABATEMENT – B. HAMILTON – 1202 OLIVE

APPROVED

Thereupon, there was presented to the City Commission 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. 52' OF LOTS 1 & 2, BLOCK 71, ORIGINAL TOWN, CONCORDIA (1202 OLIVE)

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1609 and was signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Hosie stated he would like to see the city request the property owners trim their trees which over hang in the streets. Commissioner Hosie also stated the Kyle Railroad tracks need looked at.

Commissioner Strecker stated he would like to remind the citizens that blowing the grass clippings in the street cause damage to the streets and drainage.

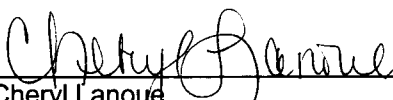
STAFF COMMENTS

Ron Copple, Director of Public Works, advised they have placed the first layer of asphalt on Hill Street and the second layer will be placed on Thursday or Friday.

Mr. Copple commented on the Kyle Railroad tracks stating the City and KDOT have sent letters to Kyle Railroad with no response. Should any citizen wish to contact Kyle Railroad City Hall has the number.

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

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 JULY 6, 2005

The governing body met in regular session on July 6, 2005, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Jindra presiding and the following members present: Commissioners Strecker, Gilliland, Hosie and Slaughter.

Absent: None.

Other Officers: City Manager Paine, City Attorney Uri and Lisa Fleming

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

Pastor John States provided the invocation before the city commission meeting.

Visitors: Burl Maley, Larry Remmenga, Jessica LeDuc, Toby Nosker, Ron Copple, Kirk Lowell, Pastor John States, Isadore Bombardier, Bruno Rehbein, George West, Lisa Mastin and John Mastin.

Minutes of the June 15, 2005 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 12

APPROVED

Appropriation Ordinance No. 12 was approved according to law.

PUBLIC COMMENTS

There were no public comments.

CLOUDCORP FUNDING REQUEST

Kirk Lowell, Director of CloudCorp, advised the commission about the 2006 funding request for CloudCorp. CloudCorp is requesting \$45,000.00 for year 2006. The funding request is the same as last year. Mr. Lowell would like the commission to consider supplemental funding in the amount of \$6,000.00 in 2006 for continued Gold-Thomen recruitment efforts. Mr. Lowell asked the commission for any questions or comments and there were none.

RESOLUTION NO. 2005-1610-429 E. 2ND NUISANCE ABATEMENT – ALLEN/CARON

APPROVED

Thereupon, there was presented to the City Commission 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 17, BLOCK 188 (429 E. 2ND)

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1610 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1611-109 STRAIN NUISANCE ABATEMENT – JAMES MENDENHALL

APPROVED

Thereupon, there was presented to the City Commission 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 5, INTERSTATE ADD. (109 STRAIN)

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1611 and was signed by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 6, 2005, contd.

**RESOLUTION NO. 2005-1612-219 W 3RD
NUISANCE ABATEMENT – KENDALL/SCHOENBRUNN**

APPROVED

Thereupon, there was presented to the City Commission 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 (219 W 3RD)

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1612 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1613-221 W 3RD
NUISANCE ABATEMENT – R. HALE & F. HALE**

APPROVED

Thereupon, there was presented to the City Commission 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)

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1613 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1614-105 STRAIN
NUISANCE ABATEMENT – RAYMOND MENDENHALL**

APPROVED

Thereupon, there was presented to the City Commission 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 17, BLOCK 5, INTERSTATE ADD. (105 STRAIN)

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1614 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1615- 128 STRAIN
NUISANCE ABATEMENT – SHAWN HADLEY**

APPROVED

Thereupon, there was presented to the City Commission 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, INTERSTATE ADD. (128 STRAIN AVE.)

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

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

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 6, 2005, contd.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1615 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1616-326 W. 6TH
NUISANCE ABATEMENT – EH CALLAWAY APPROVED

Thereupon, there was presented to the City Commission 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 13 & 14, BLOCK 133, ORIGINAL TOWN, CONCORDIA (326 W 6TH)

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, Jindra, Gilliland, Hosie and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1616 and was signed by the Mayor and attested by the Clerk.

ORDINANCE NO. 2005–2893–
ESTABLISH FEE SCHEDULE FOR
ZONING PERMITS & PROCEDURES APPROVED

Bruno Rehbein, Building Inspector, advised the commission about the two ordinances to be adopted. Mr. Rehbein stated he worked closely with Jim Kaup on the updating of the two ordinances. He felt the updates will be a significant change in zoning permits and procedures. The building permit fees ordinance will clear up the sign permit issue and will have a new section charging a penalty for starting work without a permit.

Commissioner Hosie voiced his concern on the first ordinance, section 4, item b. He asked Mr. Rehbein his interpretation of this section. Mr. Rehbein's interpretation of the section was that extra fees incurred can be placed on the applicant. Commissioner Hosie asked if this section was new because he did not see it in the last fee schedule. Mr. Rehbein pointed out where the item was located in the last fee schedule.

Commissioner Strecker advised he does not feel the city-at-large should pay for someone's project. A person improving their property should pay, not the tax payer at large.

Commissioner Gilliland stated he does not totally disagree with Commissioner Hosie. "I was on the Planning Commission long enough to realize a zoning change takes a lot of time." Commissioner Gilliland said he feels the fees are in line with the work involved in a zoning change.

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE ESTABLISHING A FEE SCHEDULE FOR CHARGES FOR PERMITS AND PROCEDURES PROVIDED FOR WITHIN THE CITY OF CONCORDIA ZONING AND SUBDIVISION REGULATIONS, AND ADDING A NEW ARTICLE VIII, SECTION 11-400 TO THE CONCORDIA CODE.

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

Nay: Commissioner Hosie.

Thereupon, the Mayor declared said Ordinance duly adopted by a vote of four to one and the Ordinance was then duly numbered Ordinance No. 2005-2893 signed by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 6, 2005, contd.

ORDINANCE NO. 2005-2894-
AMEND CONCORDIA CODE- BUILDING FEES

APPROVED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE AMENDING THE CONCORDIA CODE, BY REPEALING SECTION 6-32, AND ADDING A NEW SECTION TO BE IDENTIFIED AS SECTION 6-32.

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

Nay: Commissioner Hosie.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2005-2894 signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Gilliland suggested to Mr. Rehbein to publish in the paper what requires a building permit and what does not. Mr. Rehbein stated he would check into this.

Commissioner Slaughter thanked the city crews for all their work on Hill Street.

Commissioner Hosie asked about the stop lights at the 7th & Washington intersection. City Manager Paine stated it is currently being evaluated on not replacing the stop lights. The intersection at 7th and Broadway will also be evaluated and possibly the stop lights will be removed.

Commissioner Hosie stated last weekend there were races Friday and Saturday night and noticed the ditches along the city streets and school looked nice and he was pleased how nice the area looked.

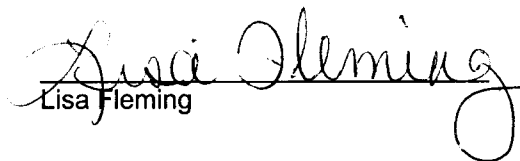
STAFF COMMENTS

City Manager Paine advised the commission the 11th Street project will be starting approximately on July 14, 2005. The milling and operation will take about two weeks. Ron Copple, Director of Public Works, stated the stripping will be done late in the evening.

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

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

(Seal)


 Lisa Fleming

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 20, 2005

The governing body met in regular session on July 20, 2005, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Jindra presiding and the following members present: Commissioners Strecker, Gilliland, Hosie 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.

Pastor John States provided the invocation before the city commission meeting.

Visitors: Burl Maley, Larry Remmenga, Jessica LeDuc, Toby Nosker, Ron Copple, Kirk Lowell, Pastor John States, Jerome Sorell, Ron Deal, Janet Eubanks, Everett Ford, Tom & Suzi Tuggle, and Lisa & John Mastin

Minutes of the July 6, 2005 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. The City received interest of \$10,530.26 for the second quarter, 2005 compared to \$6,335.74 for 2004. Commissioner Hosie moved to place on file the second quarter investment report. Commissioner Slaughter seconded. Motion carried.

PUBLIC COMMENTS

None.

RESOLUTION NO. 2005-1617- DEVELOPMENT AGREEMENT – SHADY LAKE

APPROVED

Larry Uri, City Attorney, advised the commission this development agreement (Shady Lake) is different than the others in that the reimbursement will not happen until there is development on the property. Mr. Uri stated the total estimated cost for the project is \$252,919 and staff does not believe this will affect the city. Mr. Uri stated the resolution authorizes the City Manager to execute the development agreement and to proceed with the establishment of a tax increment financing redevelopment project to be known as the Shady Lake Redevelopment Project.

Kirk Lowell, CloudCorp, stated the property has approximately three sites the size of Pizza Hut to develop. Mr. Lowell said the approximate market appraised value on half of the property would be \$406,000 and the base value is \$69,710. \$174,700 would be the increment towards bonds with an improvement similar to one a couple of years ago.

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

WHEREAS, THE GOVERNING BODY FINDS IT ADVISABLE TO ESTABLISH A REDEVELOPMENT PROJECT WITHIN 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, Jindra, Gilliland, Hosie and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1617 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005- 1618- DEVELOPMENT AGREEMENT - MASTIN

APPROVED

Larry Uri, City Attorney, advised the development agreement (Mastin's) is for site preparation for demolition of two empty and blighted buildings, existing pavement, filling of both basements, removal of water, sewer, electric and natural gas taps, removal of curb & gutter, removal of concrete panels, construct an entrance, alley entrance, curb & gutter and replacement of two concrete panels.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 20, 2005, contd.

Kirk Lowell, CloudCorp, advised the approximate market value would be \$131,040 and base value is \$43,800.

Commissioner Hosie asked if there was a bidding process and if something were to happen during the preliminary phase the developer would reimburse the city. Mr. Uri advised there was a clause in the agreement.

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

WHEREAS, THE GOVERNING BODY FINDS IT ADVISABLE TO ESTABLISH A REDEVELOPMENT PROJECT WITHIN CONCORDIA REDEVELOPMENT DISTRICT 2000

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1618 and was signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Strecker commented on all the work being done on the streets.

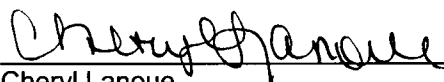
Commissioner Slaughter asked that the alley behind the Brown Grand be cleaned up.

STAFF COMMENTS

Larry Paine advised Mr. Stricklin has resigned his position with the city.

Ron Copple advised the Commission 11th Street project has started, Hill Street is done except for the backfill and 1st Street should be done next week except for the backfill.

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 3, 2005

The governing body met in regular session on August 3, 2005, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Jindra presiding and the following members present: Commissioners Jindra, Gilliland, Hosie 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.

Pastor John States provided the invocation before the city commission meeting.

Visitors: Burl Maley, Larry Remmenga, Jessica LeDuc, Christopher Andregg, Kirk Lowell, Pastor John States, Bruno Rehbein, Isadore Bombardier and Jerome Sorell.

Minutes of the July 20, 2005 regular meeting were approved as written.

Mayor Jindra made an addition to the agenda to include an executive session after staff comments.

APPROPRIATION ORDINANCE NO. 14

APPROVED

Appropriation Ordinance No. 14 was approved according to law.

PUBLIC COMMENTS

Isadore Bombardier stated he appreciated work done by the city crew on 1st Street.

RESOLUTION NO. 2005- 1619- AGREEMENT WITH CORP OF ENGINEERS

APPROVED

Commissioner Hosie asked what the CORP would be doing. City Manager Paine stated they would be evaluating and developing recommendations for the project and it would be funded by the CORP of Engineers.

Commissioner Gilliland asked if there was a time frame on the project. City Manager Paine stated the Federal Government's fiscal year changes in September, with the funds being in the current fiscal year.

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

WHEREAS, THE GOVERNING BODY FINDS IT ADVISABLE TO SEEK ASSISTANCE FROM THE US ARMY CORPS OF ENGINEERS FOR THE PURPOSE OF CONSTRUCTING A FLOOD CONTROL STRUCTURE WITHIN THE CITY OF CONCORDIA.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1619 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1620 – 421 W. 7TH NUISANCE ABATEMENT – JAMES CRAWFORD

APPROVED

Thereupon, there was presented to the City Commission 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 37, 38 & 39, BLOCK 132 & N 9.5' OF VAC 7TH ST. ADJ. (421 W. 7TH)

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

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

Nay: None.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 3, 2005, contd.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1620 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1621 – 426 E. 2ND
NUISANCE ABATEMENT – JOHN GEISLER**

APPROVED

Thereupon, there was presented to the City Commission 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 4, BLOCK 183, ORIGINAL TOWN, CONCORDIA (426 E. 2ND)

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1621 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1622 – 817 W. 6TH
NUISANCE ABATEMENT – LISA STROMBERG**

APPROVED

Thereupon, there was presented to the City Commission 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. 17.11' OF S. 134' OF LOT 4 & W. 32.33' OF S 134' OF LOT 3, BLOCK 4, GAYLORD & MATTHEW'S ADD. (817 W. 6TH)

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1622 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1623 – 16TH & LINCOLN
NUISANCE ABATEMENT – HITTLE**

APPROVED

Thereupon, there was presented to the City Commission 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: ALL OF LOTS 7 & 8 AND E. 12' OF LOT 9, BLOCK 36, ORIGINAL TOWN, CONCORDIA, KANSAS (16TH & LINCOLN)

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, Jindra, Gilliland, Hosie and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1623 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1624 – 426 E. 5TH
NUISANCE ABATEMENT – BRADLEY HUDSON**

APPROVED

Thereupon, there was presented to the City Commission 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 5 & 6, BLOCK 144, ORIGINAL TOWN, CONCORDIA (426 E. 5TH)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 3, 2005, contd.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1624 and was signed by the Mayor and attested by the Clerk.

ORDINANCE NO. 2005-2895 – RV PARKING
ZONING ORDINANCE – TEXT AMENDMENT

PASSED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE OF THE CONCORDIA CITY COMMISSION AMENDING THE CONCORDIA ZONING REGULATIONS BY ADDING A NEW SECTION TO ARTICLE 13 ALLOWING AND REGULATING RECREATIONAL VEHICLE USE IN THE MANUFACTURED HOME PARK DISTRICT.

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

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2005-2895 signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Slaughter stated he had positive comments on Hill, 11th and 1st Streets.

Commissioner Strecker asked about 6th & Lincoln project. City Manager Paine advised the project is a 2006 and he asked Ron to look at US 81 & College Drive intersection, also.

Commissioner Hosie thanked Burl Maley, Police Chief, for the many years in public service.

STAFF COMMENTS

City Manager Paine stated the bid opening on the wall restoration at Monique & Co would be August 16th and the budget public hearing is scheduled for August 17th.

City Attorney Uri stated the clean-up on Strain Avenue is in District to be heard in September.

Bruno Rehbein advised the Kansas Historical Society approved the theater plans.

EXECUTIVE SESSION
PRELIMINARY DISCUSSIONS RELATING
TO THE ACQUISITION OF REAL PROPERTY

HELD

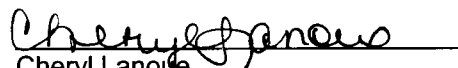
At this time, Commissioner Jindra moved that the commission recess into executive session for thirty (30) minutes to discuss land acquisition. Commissioner Strecker seconded. Motion carried. Time: 5:52 p.m.

The commission reconvened at 6:22 p.m.

Commissioner Slaughter moved that the Commission send a letter to Beldon Blosser rejecting his demand to cease fueling police cars at the Airport and request that all the Commissioners sign the letter. Commissioner Strecker seconded. Motion carried.

Mayor announced there would be study session at 7:00 p.m. tonight.

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 17, 2005

The governing body met in regular session on August 17, 2005, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Jindra presiding and the following members present: Commissioners Strecker, Gilliland, Hosie 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 John States provided the invocation before the city commission meeting.

Visitors: Burl Maley, Larry Remmenga, Jessica LeDuc, Toby Nosker, Ron Copple, Kirk Lowell, Pastor John States, Isadore Bombardier, Ima Jean Chavey, Jordan Cyphers, Ron Deal, Jerome Sorell, Larry Eubanks, Greg Hattan and Everett Ford.

Mayor Jindra added a second executive session for Land Acquisition.

Minutes of the August 3, 2005 regular meeting were approved as written.

APPROPRIATION ORDINANCE NO. 15

APPROVED

Appropriation Ordinance No. 15 was approved according to law.

PUBLIC COMMENTS

Ima Jean Chavey wanted to know what was going on with certain funds in the Quarterly report. She did not feel some of the figures were accurate in fund 505 and 444 and it was the responsibility of the city to provide an accurate report, it is required by state statute.

PUBLIC HEARING – 2006 BUDGET

HELD

Mayor Jindra opened the public hearing.

Greg Hattan was present with several questions. He felt there were some discrepancies on the tax revenues. He had questions about the downtown revitalization grant. Another issue was the revenues and expenditures in the TIF fund; he felt there were not enough revenues to cover the projects and wanted to know why \$50,000.00 was being transferred from the general fund to TIF. Greg was concerned with the continued decrease in the cash balance especially the general fund, we are spending more than we are taking in. His last question was for Kirk Lowell. He wanted a list of businesses that Gold Thomen has successfully relocated.

Ima Jean Chavey wanted to know why the vehicle transfers could not be tracked. They did not match. She also wanted to know if we were receiving any internet sales tax revenues. Mrs. Chavey stated she had other questions but Greg had already asked them. She summarized by saying the budget was unorganized and very difficult to follow.

Mayor Jindra stated Larry Paine would answer any questions on the budget, except for Greg Hattan's question to Kirk on Gold Thomen, he felt it was not directly related to the budget. Manager Paine stated he was aware of the decrease in the cash balance and it was a top priority that is why they are drawing the line now on spending, they are taking steps to prevent further decreases. Mr. Paine said he was not aware of any money in the general fund being used for TIF and the reason for the difference on TIF revenues was because of the way the county figures the TIF distributions, which is an ongoing problem. In regard to Ima Jean Chavey's question about Internet sales tax, Mr. Paine said that he did not know the answer to that question only two people in the city organization have access to that information and he was not one of them.

Commissioner Hosie said he felt the 2006 budget was a reasonable budget and the commission and staff spent a lot of time on it. It was a budget which reduced the mill levy, kept special projects and still has some Capital Improvements, which is what they were trying to accomplish.

Commissioner Gilliland stated he had no problem with the TIF revenue figures and they are lowering the mill levy which was their primary goal.

Commissioner Strecker wanted to make clear that in the agreement with Tuggle & Johnson only those funds available in the TIF fund could be used to reimburse them. If no funds were available, they would not receive any.

Commissioner Slaughter had no comments.

Commissioner Jindra had no comments.

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

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 17, 2005, contd.

**ORDINANCE NO. 2005-2896
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, 2006, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS.

Thereupon, Commissioner Hosie 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, Gilliland and Jindra.

No: None

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2005-2896 was signed and approved by the Mayor and attested by the Clerk.

**JORDAN CYPHERS –
EAGLE SCOUT PRESENTATION**

Jordan Cyphers was present and requested assistance in funding his Eagle Scout project, a new City of Concordia sign on the east side of town. The cost of the project was approximately \$4,000 and all but \$955 had been paid for by donations and contributions. Commissioner Hosie moved to pay the total balance of costs remaining in the amount of \$955. Commissioner Slaughter seconded. Motion carried.

**RESOLUTION NO. 2005-1625 – 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 \$93.84.

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 Gilliland, Jindra, Strecker, Hosie and Slaughter.

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1625 was signed and approved by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1626 – 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 \$198.84.

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

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1626 was signed and approved by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 17, 2005, contd.

**RESOLUTION NO. 2005-1627 – 323 E. 12TH
NUISANCE ABATEMENT ASSESSMENT – T. 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 \$269.21.

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

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1627 was signed and approved by the Mayor and attested by the Clerk

**RESOLUTION NO. 2005-1628-
ACCEPT BID ON LAND – D. COLLINS
AUTHORIZE CONVEYANCE OF LAND**

APPROVED

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

WHEREAS, BY TRUSTEE'S DEED DATED MARCH 22, 2005, DOUGLAS MICHAEL SWAIM, AS TRUSTEE OF THE REVOCABLE TRUST OF MICHAEL L. SWAIM, UNDER TRUST AGREEMENT DATED NOVEMBER 22, 1993, CONVEYED AND WARRANTED TO THE CITY OF CONCORDIA, A MUNICIPAL CORPORATION, THE REAL ESTATE DESCRIBED AS: LOT FOUR (4), BLOCK NINETY (90), CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF;

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1628 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1629 – 215 E 6TH
NUISANCE ABATEMENT – A. JENSEN**

APPROVED

Thereupon, there was presented to the City Commission 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, KANSAS (215 E. 6TH)

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1629 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1630 – 639 E. 15TH
NUISANCE ABATEMENT – LEON E. BALL**

APPROVED

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

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 17, 2005, contd.

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, ORIGINAL TOWN, CONCORDIA, KANSAS (639 E. 15TH)

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1630 and was signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Hosie thanked the street crews for their work on the entrances off of 6th street going to some of the businesses and he congratulated Jordan Cyphers for his contribution to the City.

Commissioner Slaughter thanked the street crew for doing a great job on the alley behind the Brown Grand.

STAFF COMMENTS

City Manager Paine thanked Chief Maley for all of his years of Service to the city.

EXECUTIVE SESSION
ATTORNEY/CLIENT PRIVILEGES

HELD

At this time, Commissioner Jindra moved that the commission recess into executive session for twenty (20) minutes to discuss attorney/client privileges. Commissioner Strecker seconded. Motion carried. Time: 6:28 p.m. Inviting: Larry Paine and Larry Uri.

The commission reconvened at 6:48 p.m.

Commissioner Jindra moved to recess for an additional five (5) minutes to continue the discussion of attorney/client privileges. Commissioner Gilliland seconded. Motion carried. time: 6:50 p.m. Inviting: Larry Paine and Larry Uri.

The commission reconvened at 6:55 p.m.

Commissioner Slaughter moved to authorize the city manager to enter into an agreement with a certified appraiser to determine the value of the land where the airport is located. Commissioner Jindra seconded. Motion carried.

EXECUTIVE SESSION
LAND ACQUISITION

HELD

At this time, Commissioner Jindra moved that the commission recess into executive session for twenty (20) minutes to discuss land acquisition. Commissioner Gilliland seconded. Motion carried. Time: 6:57 p.m. Inviting: Larry Paine and Larry Uri.

The commission reconvened at 7:17 p.m.

No action required.

Mayor Jindra announced they would be meeting at the airport after the meeting.

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


Phil Deneault
Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 7, 2005

The governing body met in regular session on September 7, 2005, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Jindra presiding and the following members present: Commissioners Strecker, Gilliland, Hosie 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.

Pastor Gay Robertson, Trinity United Methodist Church, provided the invocation before the city commission meeting.

Visitors: Larry Remmenga, Jessica LeDuc, Christopher Andregg, Kirk Lowell, Pastor Gay Robertson, Bruno Rehbein, Les Sperling, Isadore Bombardier, Dan Huff, Larry Eubanks, Richard and Roberta Lowrey, Robert Baumann and Jerome Sorell.

Mayor Jindra removed item 11B. Executive Session - Non-Elected Personnel from the agenda.

Commissioner Strecker moved to approve the minutes of the August 17, 2005 regular meeting were approved as written. Commissioner Gilliland seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 16

APPROVED

Commissioner Hosie moved to approve Appropriation Ordinance No. 16. Commissioner Jindra seconded. Motion carried.

PROCLAMATION- NATIONAL ALCOHOL & DRUG ADDICTION RECOVERY MONTH

Mayor Jindra read a proclamation and declared September as National Alcohol & Drug Addiction Recovery Month.

PUBLIC COMMENTS

There were no public comments.

ACCEPT BID – AIRPORT RUNWAY PROJECT

HALL BROS. CONSTRUCTION

City Manager Paine stated the city received one bid from Hall Bros. Construction in the amount of \$522,169.95 for the Airport Project. The project is a 95% FAA and 5% City match. Commissioner Gilliland moved to accept the bid from Hall Bros. Construction in the amount of \$522,169.95. Commissioner Strecker seconded. Motion carried.

BID FOR WALL RESTORATION

REJECTED

City Manager Paine advised the city received one bid from Mid Continental Restoration for the wall restoration work to Dumbbells and Monique buildings at a cost of \$112,355. The estimate was \$80,000. Staff recommendation is to reject the bid and consider letting bids for repairing the walls this fall and consider bidding the coating aspect of the work in the following spring. Commissioner Strecker moved to reject the bid from Mid Continental Restoration in the \$112,355 and re-bid at a later date. Commissioner Slaughter seconded. Motion carried.

VOTING DELEGATES TO 2005 LEAGUE CONFERENCE

Commissioner Gilliland moved to appoint Commissioner Hosie and Commissioner Strecker as voting delegates to the 2005 League Conference, with City Manager Paine and City Attorney Uri as the alternates. Commissioner Jindra seconded. Motion carried.

SKEELS SUBDIVISION

TABLED UNTIL 9-21-05

Bruno Rehbein advised the City Commission the Planning Commission voted 4 to 3 to not rezone the tract to M-H. Staff's recommendation would be to rezone the tract of land.

Commissioner Gilliland asked if there was a reason to go against the Planning Commission's recommendation.

Commissioner Hosie stated he would like a chance to visit with the property owner and a couple of the Planning Commission members before taking action on this.

Commissioner Gilliland stated he supports the Planning Commission recommendation.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 7, 2005, contd.

Following discussion, Commissioner Hosie moved to table the Skeels Subdivision rezone until September 21, 2005. Commissioner Slaughter seconded. Motion carried.

PETITION – MCCUNE STREET PROJECT**ACCEPTED**

Commissioner Strecker moved to accept the petition from McCune Street (Corbill). Commissioner Gilliland seconded. Motion carried.

RESOLUTION NO. 2005-1631**AUTHORIZE MCCUNE STREET IMPROVEMENT PROJECT****APPROVED**

Thereupon, there was presented to the City Commission 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.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1631 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1632 –**DEVELOPMENT AGREEMENT – LOWREY****APPROVED**

City Attorney Uri stated this was a TIF project for demolition of a building and moving utilities.

Commissioner Gilliland asked if this would be public parking.

City Manager Paine stated it was not designed for public parking.

Commissioner Hosie stated he was struggling with this project being a TIF project since it did not generate additional tax revenue of \$5,000. Commissioner Hosie stated a few years back the CCCC asked for TIF to pay part of the transformers and the City rejected the project.

Commissioner Strecker asked if there were monies in the Downtown Revitalization Grant.

City Manager Paine advised there was not money available in the Downtown Revitalization Grant.

Mr. Lowell said he supports these projects based on the information the City Manager has provided that funds are available for these projects.

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

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS STATING THE GOVERNING BODY FINDS IT ADVISABLE TO ENCOURAGE THE REDEVELOPMENT AND IMPROVEMENT OF THE DOWNTOWN COMMERCIAL AREA, TO USE THE CONCORDIA REDEVELOPMENT DISTRICT 2000 TO FACILITATE SUCH IMPROVEMENTS AND A AGREEMENT HAS BEEN DEVELOPED BETWEEN THE CITY AND RICHARD AND ROBERTA LOWREY WITH RESPECT TO REDEVELOPMENT OF COMMERCIAL LOTS WITHIN THE CONCORDIA REDEVELOPMENT DISTRICT 2000.

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

Aye: Commissioners Jindra, Strecker, Slaughter, and Gilliland.

Nay: Commissioner Hosie.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2005-1632, and was directed to be signed by the Mayor and attested by the City Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 7, 2005, contd.

**RESOLUTION NO. 2005-1633 – ALLEN/CARON
NUISANCE ABATEMENT ASSESSMENT – 429 E. 2ND**

APPROVED

Thereupon, there was presented to the City Commission 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 \$539.26.

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 Gilliland, Strecker, Jindra, Hosie and Slaughter.

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1633 was signed and approved by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1634 – B. HAMILTON
NUISANCE ABATEMENT ASSESSMENT – 1202 OLIVE**

APPROVED

Thereupon, there was presented to the City Commission 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 \$191.09.

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

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1634 was signed and approved by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1635– D. MENDENHALL
NUISANCE ABATEMENT ASSESSMENT – 103 STRAIN**

APPROVED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF 103 STRAIN, WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$279.26.

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 the passage of said Resolution was carried by the vote of the City Commission, the vote being as follows:

Yes: Commissioners Gilliland, Strecker, Jindra, Hosie and Slaughter.

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1635 was signed and approved by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1636– HALE
NUISANCE ABATEMENT ASSESSMENT – 221 W 3RD**

APPROVED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF 221 W 3RD, WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$1,612.38.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 7, 2005, contd.

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

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1636 was signed and approved by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1637– MATTHEWS/KEY
NUISANCE ABATEMENT ASSESSMENT – 604 W. 6TH**

APPROVED

Thereupon, there was presented to the City Commission 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 \$75.42.

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

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1637 was signed and approved by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1638 – STENER/KENDALL/SCHOENBRUNN
NUISANCE ABATEMENT ASSESSMENT – 219 W. 3RD**

APPROVED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF 219 W. 3RD, WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$1,634.19.

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

No: None

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2005-1638 was signed and approved by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1639 – E. OF 1721 LINCOLN
NUISANCE ABATEMENT – CHAMPLIN**

APPROVED

Thereupon, there was presented to the City Commission 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. 37' OF LOT 10 & ALL OF LOTS 11 THRU 18, BLOCK 25 (EAST OF 1721 LINCOLN)

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

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

Nay: None.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 7, 2005, contd.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1639 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1640 – 414 E. 2ND
NUISANCE ABATEMENT – T. BISNETTE APPROVED

Thereupon, there was presented to the City Commission 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 6, BLOCK 183, ORIGINAL TOWN, CONCORDIA, KANSAS (414 E. 2ND)

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

Aye: Commissioners Strecker, Jindra, Gilliland, Hosie and Slaughter.
Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1640 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1641 – 532 E 7TH
NUISANCE ABATEMENT – M. FISHER APPROVED

Thereupon, there was presented to the City Commission 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: ALL OF LOT 2 & E. 4' OF LOT 3, BLOCK 121, & 9.5' 7TH STREET ADJ., ORIGINAL TOWN, CONCORDIA, KANSAS (532 E. 7TH)

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

Aye: Commissioners Strecker, Jindra, Gilliland, Hosie and Slaughter.
Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1641 and was signed by the Mayor and attested by the Clerk.

ORDINANCE NO. 2005-2897– ZONING CHANGE
DRAKE ADDITION - MHS PASSED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN SPECIFICALLY DESCRIBED PROPERTY IN THE CITY OF CONCORDIA, KANSAS; ORDERING THE OFFICIAL CITY ZONING DISTRICT MAP TO BE CHANGED TO REFLECT SUCH AMENDMENTS; AND AMENDING SECTION 3-201 OF ARTICLE 3 OF THE ZONING ORDINANCE FOR THE CITY OF CONCORDIA, KANSAS.

Thereupon, Commissioner Gilliland 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, Gilliland, Hosie, Jindra and Slaughter.
Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2005-2897 signed by the Mayor and attested by the Clerk.

ORDINANCE NO. 2005-2898– TEXT AMENDMENT
ZONING ORDINANCE – AWNINGS PASSED

Thereupon, there was presented an Ordinance entitled:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 7, 2005, contd.

AN ORDINANCE OF THE CONCORDIA CITY COMMISSION AMENDING THE CONCORDIA ZONING REGULATIONS BY ADOPTING AMENDMENTS TO ARTICLES 10, 22 AND 27 REGULATING AWNINGS, CANOPIES AND MARQUEES IN THE C-4 CENTRAL BUSINESS DISTRICT, OFF-STREET PARKING REQUIREMENTS AND THE PLACEMENT OF SIGNS.

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

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2005-2898 signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Mayor Jindra asked if staff would arrange an intergovernmental meeting for about every three months.

Commissioner Gilliland asked about the local Emergency Preparedness Plan, if the City had one and is it reviewed.

City Manager Paine advised the document is five years old and is part of the Cloud County Emergency Preparedness, which is overseen by Larry Eubanks.

STAFF COMMENTS

Ron Copple advised the 1st Street project is complete; overlay between State and Valley Streets on 2nd Street and Olive Street on 1st to 2nd was completed with the funds left in the project.

EXECUTIVE SESSION-LAND ACQUISITION

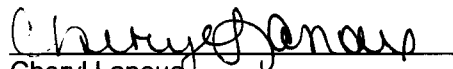
HELD

At this time, Commissioner Jindra moved that the commission recess into executive session for thirty (30) minutes to discuss land acquisition. Commissioner Gilliland seconded. Motion carried. Time: 6:38 p.m. Inviting: Larry Paine and Larry Uri.

The commission reconvened at 7:08 p.m.

No action required.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 21, 2005

The governing body met in regular session on September 21, 2005, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Jindra presiding and the following members present: Commissioners Gilliland, Hosie and Slaughter.

Absent: Commissioner Strecker.

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.

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

Visitors: Larry Remmenga, Jessica LeDuc, Trisha Lindquist, Kirk Lowell, Pastor Gay Robertson, Bruno Rehbein, Bud Kennedy, Dorothy Nease, Betty Guinn, Bob Burns, Ron Copple, Larry Eubanks, Arlene Clayton, Robert Baumann and Ron Deal.

Commissioner Gilliland moved to approve the minutes of the September 7, 2005 regular meeting. Commissioner Slaughter seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 17

APPROVED

Commissioner Hosie moved to approve Appropriation Ordinance No. 17. Commissioner Slaughter seconded. Motion carried.

CONCORDIA AREA RELIEF EFFORT (CARE) REPORT

BOB BURNS

Bob Burns stated Concordia could have received fifty (50) evacuees according to the Red Cross. Beverly Nursing Home was to be used to house the evacuees. Mr. Burns stated on September 8, 2005, there was a meeting and every resource giver in the community was there. Mr. Burns stated he was proud to be a citizen of Concordia and good people do leave here.

PUBLIC COMMENTS

Bud Kennedy stated the people in the block did not want the property to be rezoned to M-H, they agree with the Planning Commission recommendation not to rezone.

Kirk Lowell announced there would be a ground breaking for the theater on Wednesday, September 28, 2005 at 1:00 p.m.

SPECIFICATION FOR A SALT SPREADER AND TRUCK CHASSIS - PUBLIC WORKS APPROVED

Ron Copple, Director of Public Works, presented the specification for a salt spreader and truck chassis for the Public Works Department. Commissioner Jindra moved to approve the specification for a salt spreader and truck chassis for the Public Works Department. Commissioner Gilliland seconded. Motion carried.

REZONE SKEELS SUBDIVISION


Bruno Rehbein, Building Inspector, stated this was tabled from the last City Commission meeting. Mr. Rehbein stated the property owner has lost the potential buyer for the lots so he does not care if the property is rezoned or not. Commissioner Gilliland stated the decision to rezone property has to make sense for the area. Commissioner Hosie moved to approve the recommendation of the Planning Commission not to change the zoning. Commissioner Slaughter seconded. Motion carried.

STAFF COMMENTS

Mr. Paine announced Aquila has been sold to Mid-Kansas Electric Co. (Sunflower Electric). The inspection on Strain Avenue would be Thursday morning (9-22-05) and Verna Ferguson has been hired to do administrative services at the Police Department.

Mr. Paine announced there would not be a Study Session following the meeting.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 5, 2005

The governing body met in regular session on October 5, 2005, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Jindra presiding and the following members present: Commissioners Strecker, Gilliland, Hosie 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.

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

Visitors: Larry Remmenga, Jessica LeDuc, Christopher Andregg, Ron Copple, Isadore Bombardier, Jerome Sorell, Robert Burns, Larry Eubanks, Ken Johnson, Arlene Clayton and Ron Deal.

Commissioner Gilliland moved to approve the minutes of the September 21, 2005 regular meeting as written. Commissioner Strecker seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 18

APPROVED

Commissioner Slaughter moved to approve Appropriation Ordinance No. 18 according to law. Commissioner Strecker seconded. Motion carried.

PUBLIC COMMENTS

Arlene Clayton stated with the sale of the Concordia Lumber building there could be 3 or 4 more parking lots.

RESOLUTION NO. 2005-1642-CRAWFORD NUISANCE ABATEMENT ASSESSMENT – 421 W 7TH

APPROVED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF 421 W. 7TH WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$277.34.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1642 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1643-MATTHEWS/KEY NUISANCE ABATEMENT ASSESSMENT – 604 W. 6TH

APPROVED

Thereupon, there was presented to the City Commission 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 \$62.92.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1643 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1644-L. STROMBERG NUISANCE ABATEMENT ASSESSMENT – 817 W 6TH

APPROVED

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

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 5, 2005, contd.

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF 817 W. 6TH WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$968.59.

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, Jindra, Gilliland, Hosie and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1644 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1645-236 W 2ND
NUISANCE ABATEMENT – J. BISNETTE**

APPROVED

Thereupon, there was presented to the City Commission 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, Original Town, Concordia, Kansas, 236 W. 2nd

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1645 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2005-1646-INT. HOLDING CO.
NUISANCE ABATEMENT – SE CORNER OF 3RD & WASHINGTON**

APPROVED

Thereupon, there was presented to the City Commission 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. 3.25 of Lot 7 & All of Lots 8 & 9, Block 170, Original Town, Concordia, KS (SE Corner 3rd & Washington)

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1646 and was signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Hosie asked about the weeds around the railroads.

Commissioner Gilliland asked when Landplan would have an update.

STAFF COMMENTS

City Manager Paine advised, 26 individuals applied for the Police Chief.

**EXECUTIVE SESSION-PREMINILARY
DISCUSSION OF ACQUISITION OF REAL PROPERTY**

HELD

At this time, Commissioner Strecker moved that the commission recess into executive session for twenty (20) minutes for preliminary discussion of acquisition of real property. Commissioner Jindra seconded. Motion carried. Time: 5:43 p.m. Inviting: Larry Paine, Larry Uri and Ken Johnson.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 5, 2005, contd.

The commission reconvened at 6:03 p.m.

No action required.

Commissioner Jindra moved to recess for an additional ten (10) minutes for preliminary discussion of acquisition of real property. Commissioner Hosie seconded. Motion carried. Time: 6:03 p.m. Inviting: Larry Paine, Larry Uri and Ken Johnson.

The commission reconvened at 6:13 p.m.

No action required.

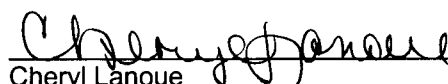
Commissioner Strecker moved to recess for an additional fifteen (15) minutes for preliminary discussion of acquisition of real property. Commissioner Hosie seconded. Motion carried. Time: 6:15 p.m. Inviting Larry Paine, Larry Uri and Ken Johnson.

The commission reconvened at 6:30 p.m.

No action required.

Mayor Jindra announced there would be a work session following the meeting.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 19, 2005

The governing body met in regular session on October 19, 2005, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Jindra presiding and the following members present: Commissioners Strecker, Gilliland, Hosie 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.

Pastor Burns provided the invocation before the city commission meeting.

Visitors: Larry Remmenga, Jessica LeDuc, Christopher Andregg, Eric Johnson, Janet Eubanks, Ron Copple, Larry Eubanks, Bob Baumann, James Workman, Pastor Burns and Jerome Sorell .

Mayor Jindra added two executive sessions to the agenda.

Commissioner Gilliland moved to approve the minutes of the October 5, 2005 regular meeting as written. Commissioner Strecker seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 19 APPROVED

Commissioner Hosie moved to approve Appropriation Ordinance No. 19 according to law. Commissioner Jindra 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 2005 was \$17,102.26 compared to \$17,410.39 for 2004. Commissioner Jindra moved to place on file the third quarter investment report. Commissioner Slaughter seconded. Motion carried.

PLANNING COMMISSION APPOINTMENTS ISADORE BOMBARDIER
JUDIE DEAL & DENNIS SMITH

Cheryl Lanoue advised the commission the terms of Isadore Bombardier, Judie Deal and Dennis Smith on the Planning Commission will expire on 11-1-05. All three individuals submitted an Expression of Interest form and indicated a willingness to serve another term on the Planning Commission. Commissioner Gilliland moved to reappoint Isadore Bombardier, Judie Deal and Dennis Smith to another three (3) year term for each on the Planning Commission, with their terms ending November 1, 2008. Commissioner Strecker seconded. Motion carried.

PUBLIC COMMENTS

There were no public comments.

ACCEPT BID FOR EAST WATER TOWER COATING

Larry Remmenga, Director of Public Utilities, advised the city received five (5) bids for the east water tower coating as follows:

| <u>BIDDER</u> | <u>AMOUNT</u> |
|----------------------------|---------------|
| Hogan's Inc. | \$57,350.00 |
| Cunningham Sandblasting | \$62,930.00 |
| Thomas Industrial Coatings | \$63,305.00 |
| J.R. Stelzer | \$65,660.00 |
| Maguire Iron, Inc. | \$84,880.00 |

Following discussion, Commissioner Strecker moved to accept the bid from Hogan's Inc. in the amount of \$57,350.00 for the east water tower coating. Commissioner Jindra seconded. Motion carried.

ACCEPT BID FOR PUBLIC WORKS TRUCK CHASSIS WOMACK SUNSHINE FORD

Ron Copple, Director of Public Works, advised the commission the city received three (3) bids for a 2005 truck chassis as follows:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 19, 2005, contd.

| <u>BIDDER</u> | <u>PRICE WITH TRADE</u> | <u>PRICE WITHOUT TRADE</u> |
|---|-----------------------------|--------------------------------|
| Womack Sunshine Ford (Power Stroke Eng.) | \$39,245.00 | \$39,245.00 |
| Womack Sunshine Ford (Cummins Eng.) | \$40,609.00 | \$40,609.00 |
| Babe Houser Motor | \$40,129.59 | \$41,129.59 |

After discussion, Commissioner Gilliland moved to accept the bid from Womack Sunshine Ford without trade in the amount of \$39,245 for the truck chassis. Commissioner Slaughter seconded. Motion carried.

ACCEPT BID FOR SALT SPREADER – PUBLIC WORKS

MIDWEST TRUCK

Ron Copple advised the commission the city received four (4) bids for a 2005 salt spreader as follows:

| <u>BIDDER</u> | <u>PRICE</u> |
|--|--------------|
| Kansas Truck | \$13,644.44 |
| Truck Parts & Equipment, Inc. (Did not meet Specs.) | \$13,970.00 |
| Midwest Truck | \$12,145.00 |
| Swenson Spreader Co. | \$13,975.00 |

After discussion, Commissioner Strecker moved to accept the bid from Midwest Truck in the amount of \$12,145.00 for the salt spreader. Commissioner Jindra seconded. Motion carried.

RESOLUTION NO. 2005-1647
AUTHORIZE CITY MANAGER TO SIGN CONTRACT
WITH DENNIS THOLSTRUP/THEATER PROJECT

APPROVED

Eric Johnson, Campbell & Johnson advised the commission on the contract with Dennis Tholstrup to brick the side of Dumbbell's and Monique's. Mr. Johnson stated he was recommending proceeding with the contract with Dennis Tholstrup, with him overseeing the construction.

Commissioner Gilliland asked if the owners would then assume the liability when the project is completed.

Larry Uri stated he would draft something for the property owners to sign off on.

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

WHEREAS, by virtue of a development agreement entered into on December 15, 2004, between the City of Concordia and Concordia Cinema Company, L.L.C., the City has undertaken to provide for cosmetic or other repairs or coatings as may be reasonably required for the refurbishment of the exterior surfaces of adjoining buildings that are exposed as a result of the demolition of the buildings that previously stood between 239 W. 6th Street and 225 W. 6th Street in the City of Concordia;

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

- Aye: Commissioners Strecker, Jindra, Gilliland, Hosie and Slaughter.
- Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1647 and was signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Mayor Jindra stated the Concordia Blog was recognized by Jack Schultz, which writes the BoomtownUSA.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 19, 2005, contd.STAFF COMMENTS

City Manager Paine advised the intergovernmental meeting was scheduled for November 17 at City Hall.

EXECUTIVE SESSIONATTORNEY CLIENT PRIVILEGES

At this time, Commissioner Strecker moved that the commission recess into executive session for twenty (20) minutes to discuss attorney client privileges. Commissioner Slaughter seconded. Motion carried. Time: 5.54 p.m.

The commission reconvened at 6:14 p.m.

Mayor Jindra announced there was no action required.

EXECUTIVE SESSIONPRELIMINARY DISCUSSION OF REAL PROPERTY

At this time, Commissioner Strecker moved that the commission recess into executive session for twenty (20) minutes for preliminary discussion of real property. Commissioner Gilliland seconded. Motion carried. Time: 6.15 p.m.

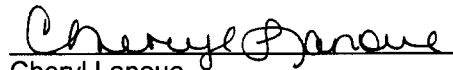
The commission reconvened at 6:35 p.m.

Commissioner Strecker moved to recess for an additional ten (10) minutes to continue the discussion of preliminary discussion of real property. Commissioner Jindra seconded. Motion carried. Time: 6:36 p.m.

The commission reconvened at 6:46 p.m.

Mayor Jindra announced there was no action required.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 2, 2005

The governing body met in regular session on November 2, 2005, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Jindra presiding and the following members present: Commissioners Strecker, Gilliland, Hosie 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.

Pastor Cory Shipley, Victory Faith Church, provided the invocation before the city commission meeting.

Visitors: Jessica LeDuc, Toby Nosker, Larry & Janet Eubanks, Cory Shipley, Jerome Sorell, Jessica Forshee, Robert Baumann, Jessica Blochlinger, Justin Newville and Tony & Jill Blochlinger.

Mayor Jindra added an executive session to the agenda after public comments.

Commissioner Hosie moved to approve the minutes of the October 19, 2005 regular meeting as written. Commissioner Slaughter seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 20

APPROVED

Commissioner Strecker moved to approve Appropriation Ordinance No. 20 according to law. Commissioner Gilliland seconded. Motion carried.

PUBLIC COMMENTS

There were no public comments.

EXECUTIVE SESSION

PRELIMINARY DISCUSSION OF REAL PROPERTY

At this time, Commissioner Jindra moved that the commission recess into executive session for twenty (20) minutes for preliminary discussion of real property. Commissioner Strecker seconded. Inviting: Tony & Jill Blochlinger, Larry Paine and Larry Uri. Motion carried. Time: 5:33 p.m.

The commission reconvened at 5:53 p.m.

Commissioner Jindra moved to recess for an additional twenty (20) minutes to continue the discussion of preliminary discussion of real property. Commissioner Gilliland seconded. Motion carried. Inviting: Tony & Jill Blochlinger, Larry Paine and Larry Uri. Time: 5:53 p.m.

The commission reconvened at 6:17 p.m.

Mayor Jindra announced there was no action required.

PUBLIC HEARING – CURB AND GUTTER

VICTORY FAITH/ALDERSON/BUOY/WOMACK

HELD

Mayor Jindra opened the public hearing for the curb & gutter projects. Mayor Jindra 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: 607 E 6th, 612 W 7th, 804 Republican and 421 W 17th.

The Governing Body determined that the notice of hearing and a statement of the costs proposed to be assessed had been mailed to the owners of the property made liable to pay such assessments, all as provided by Section 9(b) of Chapter 99, of the Kansas Legislative Session Laws of 1957, otherwise cited as K.S.A. 12-6a09(b).

There were no public comments.

Mayor Jindra closed the public hearing.

FINAL COST & ASSESSMENT ROLL

APPROVED

Exhibit A – Final Cost

Exhibit B – Assessment Roll Certification

Ms. Lanoue stated letters would go out to the property owners to advise their portion of the cost and they would have thirty (30) days to make payment to the city before it would be assessed to the property tax rolls.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 2, 2005, contd.

Commissioner Jindra moved to approve the final cost and the assessment roll certification. Commissioner Gilliland seconded. Motion carried.

ORDINANCE NO. 2005 – 2899

2005 CURB AND GUTTER PROJECTS

APPROVED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENT THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST.

Thereupon, Commissioner Gilliland 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, being as follows:

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

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2005-2899 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1648

NUISANCE ABATEMENT ASSESSMENT- 1202 OLIVE(BARBARA HAMILTON)

APPROVED

Thereupon, there was presented to the City Commission 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 \$62.92.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1648 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1649

NUISANCE ABATEMENT ASSESSMENT- 604 W 6TH
(BRENDA MATTHEWS OR JOHN KEY)

APPROVED

Thereupon, there was presented to the City Commission 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 \$86.25.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1649 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1650

NUISANCE ABATEMENT ASSESSMENT- 429 E 2ND(CONNIE ALLEN)

APPROVED

Thereupon, there was presented to the City Commission 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 \$62.92.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 2, 2005, contd.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1650 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1651

NUISANCE ABATEMENT ASSESSMENT- 421 W 7TH (JAMES P CRAWFORD)

APPROVED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF 421 W 7TH WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$142.92.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1651 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1652

NUISANCE ABATEMENT ASSESSMENT- 323 E 12TH (TERRANCE & LINDA EATON) **APPROVED**

Thereupon, there was presented to the City Commission 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 \$62.92.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1652 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1653-NUISANCE ABATEMENT ASSESSMENT

221 W 3RD (ROBERT J., FRED E. OR NADIA J. HALE)

APPROVED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF 221 W 3RD WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$94.17.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1653 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1654 - NUISANCE ABATEMENT ASSESSMENT

219 W 3RD (EDWARD W KENDALL & GEORGE SCHOENBRUNN)

APPROVED

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

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 2, 2005, contd.

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF 219 W 3RD WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$102.09.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1654 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1655

NUISANCE ABATEMENT ASSESSMENT- 319 E 11TH (HUD)

APPROVED

Thereupon, there was presented to the City Commission 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 \$145.42.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1655 and was signed by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Mayor Jindra asked how Larry Remmenga was doing. City Clerk Lanoue advised he was doing great.

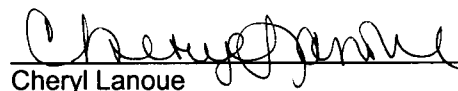
STAFF COMMENTS

City Manager Paine advised the following:

- Met with KDOT on US 81 and College Drive problems
- Intergovernmental meeting scheduled for November 15th at City Hall
- Aquila lunch with Governing Body on November 8th

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

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 16, 2005

The governing body met in regular session on November 16, 2005, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Jindra presiding and the following members present: Commissioners Gilliland, Hosie and Slaughter.

Absent: Commissioner Strecker.

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: Jessica LeDuc, Toby Nosker, Bruno Rehbein, David Cunningham, Isadore Bombardier, Jerome Sorell, Ron Deal, Ron Copple, Kirk Lowell, Robin Hood, Bruce Johnson, Nathan Mansfield, Brice Vignery, Cheri Wilson, Larry & Janet Eubanks, Steve Womack, Chrissy Feriend, Cathy Feriend, Richard & Roberta Lowery.

Commissioner Hosie moved to approve the minutes of the November 2, 2005 regular meeting as written. Commissioner Slaughter seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 21

APPROVED

Commissioner Slaughter moved to approve the Appropriation Ordinance No. 21 according to law. Commissioner Gilliland seconded. Motion carried.

PROCLAMATION – GREAT AMERICAN SMOKE OUT DAY

Chrissy Feriend presented some facts on tobacco use.

Mayor Jindra read the proclamation and the commission declared the November 17, 2005 as Great American Smoke Out Day in Concordia.

APPOINTMENT – LIBRARY BOARD

MARILYN DOUGLASS

Mayor Jindra stated the Library has advised Carter File has resigned from the Frank Carlson Library Board and would like to fill the unexpired term with Marilyn Douglass. Commissioner Slaughter moved to appoint Marilyn Douglass to the unexpired term (November 17th, 2005 through April 30, 2006). Commissioner Jindra seconded. Motion carried.

PUBLIC COMMENTS

None.

PUBLIC HEARING – MCCUNE STREET

HELD

Mayor Jindra opened the public hearing for McCune Street. Mayor Jindra 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:

McCune Street

The Governing Body determined that the notice of hearing and a statement of the costs proposed to be assessed had been mailed to the owners of the property made liable to pay such assessments, all as provided by Section 9(b) of Chapter 99, of the Kansas Legislative Session Laws of 1957, otherwise cited as K.S.A. 12-6a09(b).

There were no public comments.

Mayor Jindra closed the public hearing.

FINAL COST & ASSESSMENT ROLL

APPROVED

Exhibit A – Final Cost
Exhibit B – Assessment Roll Certification

Commissioner Gilliland moved to approve the final cost and the assessment roll certification. Commissioner Slaughter seconded. Motion carried.

PRESENTATION - CABLE TV FRANCHISE (DAVID CUNNINGHAM)

David Cunningham came before the commission to see if there was support from the Governing Body for an additional cable franchise. Mr. Cunningham advised the company would string cable through the community and would be a competing service. Their service would offer analog, digital and internet. They are currently in Belleville, Washington, Beloit, Glen Elder and Downs.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 16, 2005, contd.

Mr. Paine stated the current cable provider has a non-exclusive franchise, but the competitor would have to offer the entire community service within a certain time frame.

Commissioner Jindra, Gilliland, Slaughter and Hosie gave the okay.

DOWNTOWN IMPROVEMENT PROJECTS- CITY MANAGER

AUTHORIZED

Commissioner Gilliland excused himself because he had been working on the project.

City Manager Paine stated there have been several meetings with the downtown businesses on the beautification of the downtown and he invites Steve Womack to advise in more detail.

Steve Womack stated the Downtowns are our future. There have been two (2) meetings with the business owners. There are approximately 17 property owners which are interested in the funds. Mr. Womack stated with the help of the city and local banks we can beautify the downtown.

Phil Gilliland stated with the improvements at Rod's, the Brown Grand and the new theater going in; there is interest in revitalizing the downtown businesses. Phil read a quote from Boom Town USA, ".....downtowns hold the key to success for communities. I've seen the importance of them with helping to build community, creating a sense of place and acting as an anchor for the soul of the town. And, while downtowns have been important in the past, I see them as even more critical in the future." Mr. Gilliland stated if the city was willing to put up funds for a grant Citizens National Bank was willing to provide low interest loans, with an injection of funds from the property owner.

Commissioners Jindra, Slaughter and Hosie were okay with the City Manager drafting agreements.

ORDINANCE NO. 2005 – 2900 - MCCUNE STREET

APPROVED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE ASSESSING TO EACH LOT, PIECE AND PARCEL OF LAND LIABLE FOR SPECIAL ASSESSMENT THE AMOUNT TO BE PAID IN INSTALLMENTS FOR THE COST.

Thereupon, Commissioner Gilliland 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, being as follows:

Yea: Commissioners Slaughter, Gilliland, Jindra and Hosie.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2005-2900 and was signed by the Mayor and attested by the Clerk.

ORDINANCE NO. 2005 – 2901 - (ANIMALS)

APPROVED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE REGULATING THE KEEPING OF ANIMALS WITHIN THE CITY OF CONCORDIA, KANSAS; REPEALING CONCORDIA CODE SECTION 4-122; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 4-122.

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, being as follows:

Yea: Commissioners Slaughter, Gilliland, Jindra and Hosie.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2005-2901 and was signed by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 16, 2005, contd.

RESOLUTION NO. 2005-1656

NUISANCE ABATEMENT

109, 113, 119 STRAIN AVE.(JAMES & GAIL ANN MENDENHALL)

APPROVED

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

THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: E. 1/2 LOT 13 & ALL OF LOTS 14, 15, & 16, LOT BLOCK 5, INTERSTATE ADDITION. 109, 113, 119 STRAIN AVE.

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

Aye: Commissioners Jindra, Gilliland, Hosie and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1656 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1657

NUISANCE ABATEMENT

105 STRAIN AVE.(RAYMOND MENDENHALL)

APPROVED

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

THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: LOT 17, BLOCK 5, INTERSTATE ADDITION. 105 STRAIN AVE.

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

Aye: Commissioners Jindra, Gilliland, Hosie and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1657 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1658

NUISANCE ABATEMENT

103 STRAIN AVE.(DELBERT MENDENHALL)

APPROVED

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

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 5, INTERSTATE ADITION AND W. 22.5 FEET OF VACATED BROADWAY STREET ADJACENT. 103 STRAIN AVE.

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

Aye: Commissioners Jindra, Gilliland, Hosie and Slaughter.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1658 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1659

SET PUBLIC HEARING – 133 W. 19TH

PASSED

Thereupon, there was presented a Resolution entitled:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 16, 2005, contd.

THE ENFORCING OFFICER PURSUANT TO K.S.A. 12-1750 ET SEQ., AS PROVIDED BY SECTION 7-47 (C) OF THE CODE OF ORDINANCES OF THE CITY OF CONCORDIA, KANSAS, HAS INFORMED THE GOVERNING BODY THAT IN HIS OPINION THE FOLLOWING STRUCTURE IS UNSAFE AND DANGEROUS – 133 W. 19TH.

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

Nay: None.

Thereupon, the Resolution having been approved by the members of the City Commission, it was given No. 2005-1659, and was directed to be signed by the Mayor, attested by the City Clerk.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

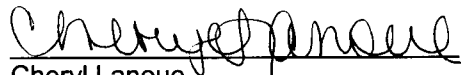
None.

STAFF COMMENTS

City Manager Paine introduced Bruce Johnson as the Interim Police Chief. Mr. Paine advised he would be interviewing for Police Chief on Friday.

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

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 7, 2005

The governing body met in regular session on December 7, 2005, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Jindra presiding and the following members present: Commissioners Strecker, Gilliland, Hosie 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.

Pastor States provided the invocation before the city commission meeting.

Visitors: Jessica LeDuc, Toby Nosker, Larry Eubanks, John States, Robert Baumann, Eric Olson, Alaina Swenson, Kirk Lowell, Bruce Johnson and Steve Dailey.

Commissioner Strecker moved to approve the minutes of the November 21, 2005 regular meeting as written. Commissioner Gilliland seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 22

APPROVED

Commissioner Strecker moved to approve Appropriation Ordinance No. 22 according to law. Commissioner Slaughter seconded. Motion carried.

PUBLIC COMMENTS

There were no public comments.

DESIGNATION OF OFFICIAL DEPOSITORIES

APPROVED

Commissioner Jindra moved to authorize The Citizens National Bank, Central National Bank, United Bank and Peoples Exchange Bank the official depositories for 2006. Commissioner Hosie seconded. Motion carried.

AFFIRMATION OF EXEMPT PROPERTY STATUS FOR IRB CERTIFICATIONS

City Clerk Lanoue 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 Hosie 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 Slaughter seconded. Motion carried.

ORDINANCE NO. 2005 – 2902

APPROVED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE AMENDING LICENSING REQUIREMENTS FOR PUBLIC VENDORS; REPEALING SECTIONS 11-231 AND 11-232 OF THE CONCORDIA CODE; AND AMENDING THE CONCORDIA CODE, BY ADDING NEWS SECTION 11-231 AND 11-232.

Thereupon, Commissioner Gilliland 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, being as follows:

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

Nay: None.

Thereupon, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2005-2902 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1660 NORTH CENTRAL REGIONAL PLANNING COMMISSION

APPROVED

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

RECONFIRMING SUPPORT FOR THE QUALIFYING REGIONAL STRATEGIC PLAN AND REQUESTING THAT THE SECRETARY OF COMMERCE RECONFIRM THE COUNTY OF CLOUD AS A KANSAS ENTERPRISE ZONE DESIGNATE NON-METROPOLITAN BUSINESS REGION.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 7, 2005, contd.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1660 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1661 AUTHORIZING THE CITY MANAGER TO EXECUTE DOWNTOWN BEAUTIFICATION PROJECTS

APPROVED

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

THE GOVERNING BODY HAS DETERMINED THAT THE LIMITED EXPENDITURES OF PUBLIC FUNDS FOR THE IMPROVEMENT OF THE EXTERIORS OF PRIVATELY-OWNED STRUCTURES IN THE DOWNTOWN BUSINESS AREA OF THE CITY WILL FULFILL A PUBLIC PURPOSE AND PROMOTE THE PUBLIC WELFARE BY STIMULATING AND ENCOURAGING GROWTH AND DEVELOPMENT OF THE DOWNTOWN, WILL AUGMENT REDEVELOPMENT ACTIVITIES IN THE DOWNTOWN AREA, AND WILL ENCOURAGE AND ENHANCE FURTHER ECONOMIC DEVELOPMENT AND REVITALIZATION WITHIN THE COMMUNITY.

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, Jindra, Hosie and Slaughter.

Nay: None.

Absention: Commissioner Gilliland do to Citizens National Bank being the Depository Bank.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1661 and was signed by the Mayor and attested by the Clerk.

EXECUTIVE SESSION

NON-ELECTED PERSONNEL

At this time, Commissioner Jindra moved that the commission recess into executive session for fifteen (15) minutes for the discussion of non-elected personnel. Commissioner Strecker seconded. Motion carried. Time: 5:53 p.m.

The commission reconvened at 6:08 p.m.

No action required.

EXECUTIVE SESSION

ATTORNEY CLIENT PRIVILEGES

At this time, Commissioner Jindra moved that the commission recess into executive session for ten (10) minutes for the discussion of attorney client privileges. Commissioner Strecker seconded. Inviting: Larry Paine and Larry Uri. Motion carried. Time: 6:09 p.m.

The commission reconvened at 6:19 p.m.

Mayor Jindra announced there was no action required.

EXECUTIVE SESSION

PRELIMINARY DISCUSSION OF REAL PROPERTY

At this time, Commissioner Jindra moved that the commission recess into executive session for ten (10) minutes for the preliminary discussion of real property. Commissioner Strecker seconded. Inviting: Larry Paine and Larry Uri. Motion carried. Time: 6:21 p.m.

The commission reconvened at 6:31 p.m.

Mayor Jindra announced there was no action required.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

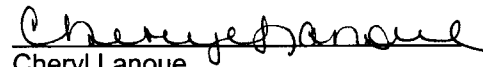
There were no comments.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 7, 2005, contd.**STAFF COMMENTS**

City Manager Paine advised the Highway 81 Corridor meeting will be December 14th at 7:00 p.m. in the City Commission room.

Mayor Jindra announced there would be a work session following the meeting.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 21, 2005

The governing body met in regular session on December 21, 2005, at 5:30 p.m. in the City Commission Room in the City Hall, with the Mayor Jindra presiding and the following members present: Commissioners Strecker, Gilliland, Hosie 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.

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

Visitors: Jessica LeDuc, Toby Nosker, Larry & Janet Eubanks, Robert Baumann, Kirk Lowell, Joe Breault, Jerome Sorell, Gary Strait, Darrell Kearn, John States, Bruce Johnson, Ron Copple, Joann Freeborn, David Gilkeson, Cindy Zapletal, Tony Blochlinger, Steve Dailey, Bruno Rehbein and Raymond Mendenhall.

Mayor Jindra removed item D under New Business, Kansas Highway Patrol Police Car from the agenda.

Commissioner Strecker moved to approve the minutes of the December 7, 2005 regular meeting as written. Commissioner Gilliland seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 23

APPROVED

Commissioner Hosie moved to approve Appropriation Ordinance No. 23 according to law. Commissioner Gilliland seconded. Motion carried.

APPOINTMENT TO BOARD OF ZONING APPEALS

TED SAMUELSON

Commissioner Jindra moved to appoint Ted Samuelson to a three (3) year term on the Board of Zoning Appeals, with his term being January 20, 2006 through January 19, 2009. Commissioner Gilliland seconded. Motion carried.

HOUSING AUTHORITY – APPOINTMENTS

ELLEN ANDERSON

Commissioner Strecker moved to reappoint Ellen Anderson to four (4) year term from 1-1-06 to 12-31-09. Commissioner Jindra seconded. Motion carried.

PUBLIC COMMENTS

There were no public comments.

EXECUTIVE SESSION

PRELIMINARY DISCUSSION OF REAL PROPERTY

At this time, Commissioner Jindra moved that the commission recess into executive session for fifteen (15) minutes for the preliminary discussion of real property. Commissioner Gilliland seconded. Inviting: Larry Paine, Larry Uri and Tony Blochlinger. Motion carried. Time: 5:37 p.m.

The commission reconvened at 5:52 p.m.

Mayor Jindra announced there was no action required.

PUBLIC HEARING – DOWNTOWN REVITALIZATION GRANT

HELD

Mayor Jindra opened the public hearing for the Downtown Revitalization Grant.

City Manager Paine stated the city completed the following projects with grant funds, with Rod's Food Store being the private match and the sanitary sewer from Broadway to Kansas between 5th and 6th being the city's contribution:

- 6th & Lincoln demolition and parking lot
- Rod's Sidewalk
- Mid Block Crossings
- NCK Carpet Sidewalk
- Brown Grand - Parking and Fire Escapes

Kirk Lowell thanked Rod's Food Store.

Mayor Jindra closed the public hearing.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 21, 2005, contd.

PUBLIC HEARING – 2005 BUDGET AMENDMENT

HELD

Mayor Jindra opened the 2005 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 Bond and Interest Fund require the budget amendment. During 2005, the city issued TIF GO Bond Series 2005A, which required a bond payment from Bond and Interest that was not budgeted.

There were no comments.

Mayor Jindra closed the public hearing.

AMENDMENT TO 2005 BUDGET

Commissioner Strecker moved to adopt the 2005 amended budget. Commissioner Jindra seconded. Motion carried.

CLOUDCORP FUNDING AGREEMENT

APPROVED

Kirk Lowell, CloudCorp, presented CloudCorp's annual funding agreement. Commissioner Gilliland moved to approve CloudCorp Funding Agreement for 2006, for \$45,000.00, with \$22,500 being paid in February and July, 2006. Commissioner Strecker seconded. Motion carried.

PRESENTATION - SOUTHWESTERN BELL

Cindy with SBC, presented the CloudCorp and the City with a check for \$12,100. These dollars go towards technology improvements at CloudCorp. There were 70 applicants with 13 receiving funds.

PUBLIC WORKS MOWER SPECIFICATIONS

APPROVED

Ron Copple, Director of Public Works, presented the Mower specifications as follows:

| | |
|-------------------|---|
| Engine: | Diesel, Liquid Cooled, 28HP. |
| Drive: | Hydrostatic. |
| Hydraulic: | Cold Weather Starting, Pump Disengagement. |
| Turning Radius: | True zero Degree. With in its own length. |
| Steering: | Self-centering steering providing independent control of each wheel. |
| Parking Brake: | Positive, automotive-type disc. Hand operated lock-over center control lever. |
| Fuel Capacity: | Capable of running an eight hour day. |
| Tires: | Drive tires 23x10.5 -12 6-Ply Turf, Trail tires 13x 6.5-6 with rib tread. |
| Deck drive Shaft: | PTO shaft, sealed, splined, and two high speed U-joints. |
| Mower Deck: | 72" deck, 4-Way Quadcycler, Discharge on right side and mulch. Front mounted, floating PTO drive to gear box, drive belts from gear box to spindles. |
| Cutting Height: | Bidder shall set the mower deck at three inches and level, deck shall adjust from 1" to 5". |
| Gauges: | Hour meter, oil pressure warning light, engine heat warning light, and alternator warning light. Audible signal for high engine temperature or low engine oil pressure. |
| Warranty: | 12 months on components and frame. Two year limited warranty on power train. |
| Delivery: | Mower shall be delivered F.O.B. City of Concordia in first class operating condition. Acceptance shall be subject to the inspection and approval of the City. |

Commissioner Hosie moved to approve the above mower specification for the Public Works Department. Commissioner Slaughter seconded. Motion carried.

SANTIARY SEWER BID LETTING FOR SOUTH DEVELOPMENT

APPROVED

City Manager Paine advised the commission this would allow the city to proceed with the bidding process in January for the sanitary sewer behind the old Shady Lake property. Commissioner Hosie

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 21, 2005, contd.

moved to approve the bid letting for the sanitary sewer for the South Development. Commissioner Slaughter seconded. Motion carried.

**BID AWARD-
1978 PUMPER AND 1983 RESCUE**

CHATAKAWA FIRE DISTRICT #1

Larry Paine advised the city had Purple Wave Auction, auction of the 1978 pump truck and the 1983 rescue truck. The highest bidder was Chatakaw County Fire District #1 for \$2500.00 on the pump truck and \$9600 for the rescue. Staff recommends the city commission accept the two bids from Chatakaw County Fire District #1 for \$2500 and \$9600 for the pump truck and rescue, respectfully. Commissioner Strecker moved to accept the bid of \$2500 for the pump truck and \$9600 for the rescue from Chatakaw County Fire District #1. Commissioner Gilliland seconded. Motion carried.

RESOLUTION NO. 2005-1662- BOUNDARY

APPROVED

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

A RESOLUTION OF THE CITY OF CONCORDIA, KANSAS, DEFINING THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1662 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1663- BNSF RAILWAY, KDOT AND CITY

APPROVED

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

A RESOLUTION OF THE CITY OF CONCORDIA, KANSAS, AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT BETWEEN THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY, THE CITY OF CONCORDIA AND SECRETARY OF TRANSPORTATION OF THE STATE OF KANSAS FOR A PROJECT PROVIDING FOR THE INSTALLATION OF RAILWAY-HIGHWAY CROSSING SIGNALS, FLASHING LIGHT STRAIGHT POST TYPE AND GATES ON VALLEY STATE IN THE CITY OF CONCORDIA.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1663 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2005-1664-KLA ENVIRONMENTAL SERVICES FOR FLOOD CONTROL

APPROVED

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

A RESOLUTION OF THE CITY OF CONCORDIA, KANSAS, DIRECTING THE CITY MANAGER TO REQUEST FROM KLA ENVIRONEMENTAL SERVICES, INC. A PROPOSAL FOR ENGINEERING SERVICES TO INCLUDE FINAL PROJECT DESIGN DOCUMENTS AND THE NECESSARY STATE AND FEDERAL AGENCY AND APPROVAL AND CONSTRUCTION SUPERVISION.

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

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

Nay: None.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 21, 2005, contd.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2005-1664 and was signed by the Mayor and attested by the Clerk.

EXECUTIVE SESSION

NON-ELECTED PERSONNEL

At this time, Commissioner Jindra moved that the commission recess into executive session for fifteen (15) minutes for the discussion of non-elected personnel. Commissioner Strecker seconded. Motion carried. Time: 6:13 p.m.

The commission reconvened at 6:28 p.m.

No action required.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Hosie wished everyone a Merry Christmas.

Commissioner Strecker thanked the crews for the snow removal.

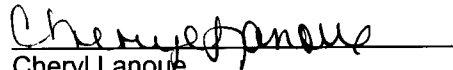
Commissioner Gilliland thanked the crews for putting up and taking down the Christmas lights.

STAFF COMMENTS

City Manager Paine stated we would add widening College Drive to the Study Session.

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

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


Cheryl Lanoue
City Clerk

(Seal)