

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 4, 2006

The governing body met in regular session on January 4, 2006 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, Gilliland, Strecker and Slaughter.

Absent: Commissioner Jindra.

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

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

Visitors: Jessica LeDuc, Larry Remmenga, Ron Copple, Bruno Rehbein, Toby Nosker, Pastor David Redman, Bruce Johnson, Jerome Sorell, Emily Redmond, Larry Eubanks, Eric Johnson, Robert Bauman, Danny Parker and Bill Garrison.

Pastor David Redman, Wesleyan Church, provided the invocation before the city commission meeting.

Mayor Pro Tem Strecker removed item 4 A. Cloucorp Board of Directors from the agenda.

Commissioner Hosie moved to approve the minutes of the December 21, 2005 regular meeting as written. Commissioner Slaughter seconded. Motion carried.

APPROPRIATION ORDINANCES NO. 24A

APPROVED

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

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARING – 133 W. 19th

UNSAFE & DANGEROUS STRUCTURE

HELD

Mayor Pro Tem Strecker opened the public hearing.

Bruno Rehbein, advised the commission John and Joyce Hood have purchased the property and have provided a bond for the project. The owners have a building permit in place. Mr. Rehbein stated the repairs shall commence within 10 days from the date of this resolution.

Mayor Pro Tem Strecker closed public hearing.

RESOLUTION NO. 2006-1665– 133 W. 19th

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 Gilliland moved that said Resolution be passed with repairs to commence within ten (10) days from the date of this resolution. 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, Gilliland, Strecker and Slaughter.

No: None.

Thereupon, the Mayor Pro Tem declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2006-1665 was signed and approved by the Mayor and attested by the Clerk.

RESOLUTION NO. 2006-1666 - (CLASSIFIED EMPLOYEES)

APPROVED

Thereupon there was presented a Resolution entitled:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 4, 2006, contd.

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

Commissioner Hosie stated he would like to see more then the 1.5% increase. Social Security increase was 4.1%.

Thereupon, Commissioner Gilliland 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 Strecker, Gilliland and Slaughter.

No: Commissioner Hosie.

Thereupon, the Mayor Pro Tem declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2006-1666 and was signed and approved by the Mayor and attested by the Clerk.

RESOLUTION NO. 2006-1667- (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 Gilliland. 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 Strecker, Gilliland and Slaughter.

No: Commissioner Hosie.

Thereupon, the Mayor Pro Tem declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2006-1667 and was signed and approved by the Mayor and attested by the Clerk.

APPROVE SPECIFICATIONS FOR CITY HALL ROOF APPROVED

Eric Johnson, Campbell and Johnson, presented the specification for the roof on City Hall. Mr. Johnson advised the city had inquired about a metal roof in 1999, but the best solution he believes would be the PVC style roof. Mr. Johnson did want everyone to understand that all roofs require yearly maintenance. Following discussion, Commissioner Strecker moved to authorize the City Manager to solicit bids for the roof on City Hall. Commissioner Slaughter seconded. Motion carried.

KANSAS HIGHWAY PATROL – POLICE CAR APPROVED

Larry Paine advised Bruce Johnson, Mike Lamm and himself compared the specifications between the Kansas Highway Patrol Partners Program and the Chevy Impala from Babe Houser. The specifications were the same. Babe Houser's cost for the 2006 Chevy Impala for \$20,000 and Kansas Highway Patrol Partners Program is \$16,716.51. Staff is recommending the purchase of a 2006 Chevy Impala from Kansas Highway Patrol for \$16,716.51. Commissioner Gilliland moved to approve the purchase of a 2006 Chevy Impala from the Kansas Highway Patrol Partners Program for \$16,716.51. Commissioner Slaughter seconded. Motion carried.

ORDINANCE NO. 2006 – 2903 APPROVED

Thereupon, there was presented an Ordinance entitled:

AN ORDINANCE ADOPTING THE 2003 INTERNATIONAL BUILDING CODE, THE 2003 INTERNATIONAL RESIDENTIAL CODE, THE 2003 INTERNATIONAL PLUMBING CODE, THE 2003 INTERNATIONAL MECHANICAL CODE, THE 2003 INTERNATIONAL FUEL GAS CODE, THE 2003 INTERNATIONAL FIRE CODE AND THE 2005 NATIONAL ELECTRICAL CODE. REPELAING SECTION 6-33, 6-34, 6-35 AND 6-36 OF THE CONCORDIA CODE.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 4, 2006, contd.

Thereupon, Commissioner Gilliland 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, being as follows:

Yea: Commissioners Slaughter, Gilliland, Strecker and Hosie.

Nay: None.

Thereupon, the Mayor Pro Tem declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2006-2903 and was signed by the Mayor and attested by the Clerk.

EXECUTIVE SESSION

PRELIMINARY DISCUSSION OF REAL PROPERTY

At this time, Commissioner Strecker 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 and Larry Uri. Motion carried. Time: 6:00 p.m.

The commission reconvened at 6:15 p.m.

Mayor Jindra announced there was no action required.

MAYOR/COMMISSIONER
COMMENTS AND REPORTS

Commissioner Hosie welcomed Danny Parker, Police Chief and Bill Garrison, County Commissioner.

STAFF COMMENTS

Mr. Paine stated we would be working on a local option purchasing policy.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 18, 2006

The governing body met in regular session on January 18, 2006 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, Gilliland, Strecker, Jindra and Slaughter.

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, Kirk Lowell, Toby Nosker, Jerry Collins, Damon Christensen, Bruce Johnson, Dave Aggson, Bob Baumann, Larry Eubanks, Danny Parker, Chuck Cyr and David Redman.

Pastor David Redman, Wesleyan Church, provided the invocation before the city commission meeting.

Commissioner Jindra stated there was a correction to the minutes under Executive Session as follows: Mayor Pro Tem Strecker announced there was no action required.

Commissioner Strecker moved to approve the minutes of the January 4, 2006 regular meeting as amended. Commissioner Slaughter seconded. Motion carried.

APPROPRIATION ORDINANCES NO. 24

APPROVED

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

FOURTH QUARTER INVESTMENT REPORT

ACCEPTED

City Manager Paine asked that the fourth quarter investment report be placed on file. Commissioner Gilliland moved to place on file the fourth quarter investment report. Commissioner Strecker seconded. Motion carried.

PUBLIC COMMENTS

There were no public comments.

RESOLUTION NO. 2006-1668 - (AMENDING CLASSIFIED EMPLOYEES)

APPROVED

Thereupon there was presented a Resolution entitled:

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

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

No: Commissioner Hosie.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2006-1668 and was signed and approved by the Mayor and attested by the Clerk.

RESOLUTION NO. 2006-1669- WAIVER OF GAAP

ACCEPTED

Thereupon, there was presented a Resolution entitled:

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

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

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 18, 2006, contd.

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

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1669 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2006-1670-SUPPORT
VFW/AMERICAN LEGION'S EFFORTS TO ASSIST VETERANS**

ACCEPTED

Thereupon, there was presented a Resolution entitled:

A RESOLUTION OF THE CITY OF CONCORDIA, KANSAS CALLS UPON THE KANSAS SENATE AND HOUSE OF REPRESENTATIVES TO RESTORE AND CONFIRM THE HISTORIC PARTNERSHIP BETWEEN THE KANSAS COMMISSION ON VETERANS AFFAIRS AND THE AMERICAN LEGION AND VETERANS OF FOREIGN WARS BY AMENDING K.S.A. 73-1211.

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

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

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1670 and was signed by the Mayor and attested by the Clerk.

ORDINANCE NO. 2006-2904 - STANDARD TRAFFIC ORDINANCE

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS; INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 2005, WITH CERTAIN OMISSIONS, AMENDMENTS, AND ADDITIONAL PROVISIONS;

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

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

Nay: None.

Thereupon, the Ordinance having been received by at least two-thirds (2/3rds) majority vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2006-2904 and was signed by the Mayor and attested by the clerk.

ORDINANCE NO. 2006-2905 - UNIFORM PUBLIC OFFENSE CODE

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS; INCORPORATING BY REFERENCE THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, EDITION OF 2001, WITH CERTAIN OMISSIONS, AMENDMENTS AND ADDITIONAL PROVISIONS; PROVIDING CERTAIN PENALTIES; REPEALING EXISTING SECTION 14-1 OF THE CONCORDIA CODE; AND AMENDING THE CONCORDIA CODE, BY ADDING A SECTION NUMBERED 14-1.

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:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 18, 2006, contd.

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

Nay: None.

Thereupon, the Ordinance having been received by at least two-thirds (2/3rds) majority vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2006-2905 and was signed by the Mayor and attested by the clerk.

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

Commissioner Hosie moved to authorize the Mayor and City Clerk to execute the State of Kansas Declaration for Participation in the Firefighters Relief Fund for 2006. Commissioner Slaughter seconded. Motion carried.

PUBLIC WORKS MOWER BID**TABLED BACK TO STAFF**

Larry Paine advised the commission the city received two (2) bids as following for the Public Work's mower:

Concordia Tractor, Inc.	\$10,999
Budreau Muffler Automotive & Tow, Inc.	\$13,500

Chuck Cyr was present to discuss the mower bids and asked how the bidding process worked? He stated that he did not agree with the reasons given that they did not meet specifications on the bid. He did not feel like the extra cost the city would have with the higher bid was necessary.

Mr. Paine advised the Concordia Tractor, Inc. bid did not meet specifications. Staff recommends the bid from Budreau Muffler Automotive & Tow, Inc for \$13,500. Following discussion, Commissioner Gilliland moved to table the Public Works mower back to staff. Commissioner Strecker seconded. Motion carried.

**CONSIDER A SUPPLEMENTAL APPROPRIATION
TO CLOUDCORP TO FINANCE A PROJECT FEASIBILITY
STUDY FOR AN ETHANOL PROJECT IN THE AMOUNT OF \$5,000****APPROVED**

City Manager Paine stated the City, County and CloudCorp have been asked to participate in a feasibility study to consider whether the construction of an ethanol production facility is realistic and operable in Cloud County. The group's spokesman visited with CloudCorp's board and asked for financial support. The CloudCorp board suggested \$5,000 from each the City, Cloud County and CloudCorp. Commissioner Hosie moved to approve a supplemental agreement with CloudCorp to fund an ethanol feasibility study. Commissioner Jindra seconded. Motion carried.

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 Strecker seconded. Inviting: Larry Paine and Larry Uri. Motion carried. Time: 6:05 p.m.

The commission reconvened at 6:20 p.m.

Mayor Jindra announced there was no action required.

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. Inviting: Larry Paine. Time: 6.21 p.m.

The commission reconvened at 6:37 p.m.

Mayor Jindra announced there was no action required.

Commissioner Jindra moved to recess an additional fifteen (15) minutes for the discussion of non-elected personnel. Commissioner Strecker seconded. Motion carried. Time: 6:38 p.m.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 18, 2006, contd.

The commission reconvened at 6:53 p.m.

Mayor Jindra announced there was no action required.

Commissioner Jindra moved to recess an additional thirty (30) minutes for the discussion of non-elected personnel. Commission Hosie seconded. Inviting: Larry Paine. Motion carried. Time: 6:57 p.m.

The commission reconvened at 7:27 p.m.

Mayor Jindra announced there was no action required.

**MAYOR/COMMISSIONER
COMMENTS AND REPORTS**

Commissioner Slaughter stated "I want to compliment all of those people and organizations responsible for making North Central Kansas the agricultural center. We do rely on agriculture in this part of the country and we need to do what ever we can to support it. The ethanol plant would contribute to that effort."

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 FEBRUARY 1, 2006

The governing body met in regular session on February 1, 2006 at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Jindra, Strecker, Hosie, Slaughter and Gilliland

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, Ron Copple, Kirk Lowell, Dallas Nading, Bruce Johnson, Brenton Phillips, Isadore Bombardier, Nicole Brabeck, Robert Baumann, Dave Swenson, Ron Deal, Charles Cyr, Ben Budreau, Justin McNutt, Julie and Alan Corbeil.

Mayor Jindra amended the agenda by removing Item #8 Executive Session from the agenda.

Commissioner Strecker moved to approve the minutes of the January 18, 2006 regular meeting as written. Commissioner Gilliland seconded. Motion carried.

APPROPRIATION ORDINANCES NO. 1 and 2

APPROVED

Commissioner Hosie moved to approve Appropriation Ordinance No. 1 and 2. Commissioner Slaughter seconded. Motion carried.

PUBLIC COMMENTS

Isadore Bombardier thanked the Animal Control officer for the good job she was doing. Mr. Bombardier stated he appreciates the work the Planning Commission does. He thanked Commissioner Gilliland for his years on the Planning Commission.

Dave Swenson was here to represent Beldon & Marilyn Blosser regarding the Shady Lake redevelopment project plan. Mr. Swenson stated there was a 30' piece of land the Blosser's own which is in the redevelopment project. The Blossers did not request the TIF project nor did they request for TIF funds.

RESOLUTION NO. 2006-1671 (CALLING PUBLIC HEARING SHADY LAKE 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 Gilliland, seconded by Commissioner Strecker, the Resolution was adopted by the following roll call vote:

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

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1671, and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1672(CALLING PUBLIC HEARING ON MASTIN 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.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 1, 2006, contd.

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 Jindra, Strecker, Hosie, Slaughter and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1672, and was directed to be signed by the Mayor and attested by the City Clerk.

PUBLIC WORKS MOWER BID

Ron Copple advised the commission the city received two (2) bids as following for the Public Work's mower:

Concordia Tractor, Inc.	\$10,999
Budreau Muffler Automotive & Tow, Inc.	\$13,500

Mr. Copple explained the Concordia Tractor, Inc. bid did not meet one of the specifications, which was the front mount. Staff recommends the bid from Budreau Muffler Automotive & Tow, Inc for \$13,500. Following discussion, Commissioner Jindra moved to approve the mower bid from Budreau Muffler Automotive & Tow, Inc for \$13,500. Commissioner Gilliland seconded. Motion carried.

CITY HALL ROOF BID AWARD

Larry Paine advised the city received three (3) bids for the City Hall roof. The following is the bid tabulation:

<u>Contractors</u>	<u>Base Bid</u>	<u>Tapered Insulation</u>	<u>Metal Cap</u>
Diamond Everley Roofing	\$116,450.00	\$4.60	\$7.20
Geisler Roofing	\$112,900.00	\$2.50	\$6.34
Midwest Coating, Inc.	\$121,300.00	\$2.10	\$9.00

Following discussion, Commissioner Strecker moved to approve Geisler Roofing for \$112,900.00 to reroof at City Hall. Commissioner Gilliland seconded. Motion carried.

SANITARY SEWER BID AWARD(SHADY LAKE)

Larry Remmenga stated the City received four (4) bids for the sanitary sewer. The following is the bid tabulation:

APAC-KS Shears Division	\$61,858.00
Deep Creek Construction	\$52,079.00
Midlands Contracting, Inc.	\$42,189.50
Nowak Construction Co., Inc.	\$52,601.50

Following discussion, Commissioner Strecker moved to approve Midlands for \$42,189.50 for the sanitary sewer. Commissioner Hosie seconded. Motion carried.

BROWN GRAND UPDATE

Brent Phillips and Nicole Brabeck, Brown Grand Board members, stated there were 57 events last year at the Brown Grand with 10,756 people attending. Mr. Phillips stated they have landscaped, planted grass, replaced the sound system and are replacing the interior curtains. The Board thanks the City for the parking lot, fire escapes, and snow removal. The Brown Grand will be celebrating its 100th Birthday in September 2007. Ms. Brabeck thanked Larry Paine for mowing the grass.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

There were no comments or reports.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 1, 2006, contd.

STAFF COMMENTS

Larry Paine advised Brock was responsible for mowing the grass at the Brown Grand. Mr. Paine advised the City will be proceeding with the brick replacement on Dumb Bells and Monique & Co.

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.


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 15, 2006

The governing body met in regular session on February 15, 2006 at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Jindra, Strecker, Hosie, Slaughter and Gilliland.

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, Toby Nosker, Larry Remmenga, Kirk Lowell, Robert Baumann, Ron Deal, Jerome Sorell, Larry Eubanks, Allen Miller, Earl Hanson, Barry Madden, Chuck Loole, Jim Coash, Bob Johnson and Steve Ferry.

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

Commissioner Strecker moved to approve the minutes of the February 1, 2006 regular meeting as written. Commissioner Gilliland seconded. Motion carried.

APPROPRIATION ORDINANCES NO. 3

APPROVED

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

PUBLIC COMMENTS

There were no public comments.

NEW THEATER PARKING LOT

TABLED

City Manager Paine stated the bids will be opened on February 17, 2006. Commissioner Slaughter moved to table the new Theater Parking Lot bid award to February 22, 2006 at 5:30 p.m. Commissioner Strecker seconded. Motion carried.

RESOLUTION NO. 2006-1673-TRANSFER AQUILA
FRANCHISE AGREEMENT TO PRAIRIE LAND ELECTRIC

APPROVED

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

WHEREAS, AQUILA, MID-KANSAS ELECTRIC COMPANY (MKEC), SUNFLOWER ELECTRIC POWER CORPORATION (SUNFLOWER), AND THE SIX RURAL ELECTRIC COOPERATIVES MEMBERS OF EACH OF MKEC AND SUNFLOWER (THE MEMBERS) ARE PARTIES TO THAT CERTAIN ASSET PURCHASE AGREEMENT DATED AS OF SEPTEMBER 21, 2005 (THE ASSET PURCHASE AGREEMENT), BY WHICH AQUILA HAS AGREED TO TRANSFER, ASSIGN AND SELL TO MKEC, AND MKEC HAS AGREED TO ASSUME, SUBSTANTIALLY ALL OF THE ASSETS AND OBLIGATIONS OF AQUILA CONSTITUTING THE ELECTRIC UTILITY BUSINESS CONDUCTED BY AQUILA THAT SERVES CUSTOMERS IN THE STATE OF KANSAS (COLLECTIVELY, THE BUSINESS), INCLUDING WITHOUT LIMITATION ALL OF AQUILA'S RIGHT, TITLE AND INTEREST IN, TO AND UNDER THE FRANCHISE AGREEMENT AND ITS PLANT, FACILITIES, SYSTEM AND OPERATION LOCATED IN CONCORDIA;

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 Jindra, Strecker, Hosie, Slaughter and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1673, and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1674-
RETURN FIRE INSURANCE FUNDS - SWIHART

APPROVED

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

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 15, 2006, contd.

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 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, Strecker, Hosie, Slaughter and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1674, and was directed to be signed by the Mayor and attested by the City Clerk.

EXECUTIVE SESSIONPRELIMINARY DISCUSSION OF LAND ACQUISITION

At this time, Commissioner Jindra moved that the commission recess into executive session for five (5) minutes for preliminary discussion of land acquisition. Commissioner Strecker seconded. Inviting: Larry Paine and Larry Uri. Motion carried. Time: 5:41 p.m.

The commission reconvened at 5:46 p.m.

RESOLUTION NO. 2006-1675-PLUM ROAD CONTRACT
JILL & TONY BLOCHLINGER – LAND ACQUISITIONAPPROVED

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

WHEREAS, FLOOD CONTROL PLANS FOR THE CITY MAKE ADVISABLE THE ACQUISITION OF A CERTAIN TRACT OF LAND FOR THE LOCATION OF A FLOOD CONTROL STRUCTURE; AND WHEREAS THE LANDOWNERS AND THE CITY HAVE ARRIVED AT AN AGREEMENT OF THE TERMS FOR THE PURCHASE OF THE TRACT AS SET FORTH IN THE ATTACHED CONTRACT;

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 Jindra, Strecker, Hosie, Slaughter and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1675, and was directed to be signed by the Mayor and attested by the City Clerk.

EXECUTIVE SESSIONATTORNEY/CLIENT PRIVILEGE-AIRPORT LITIGATION

At this time, Commissioner Jindra moved that the commission recess into executive session for ten (10) minutes for the discussion of attorney/client privilege (airport litigation). Commissioner Strecker seconded. Inviting: Larry Paine and Larry Uri. Motion carried. Time: 5:48 p.m.

The commission reconvened at 5:58 p.m.

CONSENT TO REPRESENTATIONAPPROVED

Commissioner Jindra moved to approve the consent to representation. Commissioner Gilliland seconded. Motion carried.

EXECUTIVE SESSIONNON-ELECTED PERSONNEL

At this time, Commissioner Jindra moved that the commission recess into executive session for five (5) minutes for the discussion of non-elected personnel. Commissioner Strecker seconded. Motion carried. Time: 6:02 p.m.

The commission reconvened at 6:07 p.m.

Mayor Jindra announced there was no action required.

Commissioner Jindra moved that the commission recess into executive session for an additional ten (10) minutes for the discussion of non-elected personnel. Commissioner Gilliland seconded. Motion carried. Time: 6:07 p.m.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 15, 2006, contd.

The commission reconvened at 6:17 p.m.

Commissioner Jindra moved to extend Larry Paine's contract for one year with a 1 1/2 percent increase in salary. Commissioner Strecker seconded. Motion carried.

**MAYOR/COMMISSIONER
COMMENTS AND REPORTS**

Commissioner Slaughter requested a tour of the Police Department.

Commissioner Hosie stated he watched the police officers, EMT's and school district employees work together on the bomb training at the High School.

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

There being no further business, Commissioner Gilliland moved to adjourn the meeting to February 22, 2006 at 5:30 p.m. in the City Commission Room. Commissioner Strecker seconded. Motion carried.


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE ADJOURNED CITY COMMISSION MEETING HELD FEBRUARY 22, 2006

The governing body met in adjourned session on February 22, 2006 at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Jindra, Strecker, Hosie, Slaughter and Gilliland.

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.

Visitors: Ron Copple, Jerome Sorell, Patrick Cossel and Kirk Lowell.

NEW THEATER PARKING LOT

City Manager Paine stated the bids on the Theater parking lot are as follows:

Budreau Construction	\$193,004.64
Coonrod & Associates	\$158,030.54
Stupka Construction	\$209,791.00
Wrench Construction	\$152,106.80

Following discussion, Commissioner Jindra moved to approve the low bid from Wrench Construction for \$152,106.80. Commissioner Strecker seconded. Motion carried.

EXECUTIVE SESSION

ATTORNEY/CLIENT PRIVILEGE

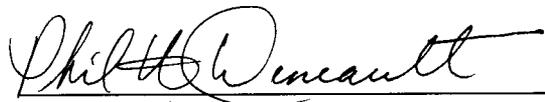
At this time, Commissioner Slaughter moved that the commission recess into executive session for fifteen (15) minutes for the discussion of attorney/client privilege. Commissioner Strecker seconded. Inviting: Larry Paine and Larry Uri. Motion carried. Time: 5:32 p.m.

The commission reconvened at 5:47 p.m.

Mayor Jindra announced there was no action required.

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.


 Phil Deneault
 Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 1, 2006

The governing body met in regular session on March 1, 2006 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, Hosie, Slaughter and Gilliland.

Absent: Commissioner Jindra.

Other Officers: City Manager Paine and City Clerk Lanoue.

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

Visitors: Jessica LeDuc, Larry Remmenga, Ron Copple, Bruce Johnson, Jerome Sorell, Robert Baumann, Kirk Lowell, Larry Eubanks, Gay Robertson, Patrick Cossel, Toby Nosker, Judy Starr, Danny Parker and Bruno Rehbein.

Commissioner Hosie moved to approve the minutes of the February 15, 2006 regular meeting as written. Commissioner Slaughter seconded. Motion carried.

Commissioner Gilliland moved to approve the minutes of the February 22, 2006 adjourned meeting as written. Commissioner Hosie seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 4

APPROVED

Commissioner Gilliland moved to approve Appropriation Ordinance No. 4. Commissioner Slaughter seconded. Motion carried.

PUBLIC COMMENTS

Kirk Lowell advised CloudCorp was accepting applications for the Downtown Concordia Improvement Grant Program until March 15th at 5:00 p.m., with the public announcement of the successful applicants at the April 19th City Commission meeting.

RESOLUTION NO. 2006-1676

RETURN FIRE INSURANCE FUNDS – JOHN HOOD

APPROVED

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

WHEREAS, ON JANUARY 4, 2006, THE GOVERNING BODY, AFTER CONDUCTING A PUBLIC HEARING IN ACCORDANCE WITH K.S.A. 12-1752, DETERMINED THAT THE OWNERS OF THE STRUCTURE LOCATED AT 133 W. 19TH STREET, CONCORDIA, AND FURTHER DESCRIBED AS: SEC 4 TWP 6 RNG 3 SUB DIV: CONCORDIA ORIGINAL TOWN TRACT DESC: S 85' OF LOT 10 & S 85' OF W 42' OF LOT 11, BLOCK 14 IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS; WAS AN UNSAFE STRUCTURE IN NEED OF REPAIR.

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, Hosie, Slaughter and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1676, and was directed to be signed by the Mayor Pro Tem and attested by the City Clerk.

RESOLUTION NO. 2006-1677 -

NUISANCE ABATEMENT-DAVENPORT- 810 E. 7TH

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: TR BEG 220.11' E OF LINE OF MATTHEW 8TH ST & S LINE OF 7TH ST; THE S 177.9'; E 104.76'; N 177.9'; W 104.76'; TO POB (810 E. 7TH)

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, Hosie, Slaughter and Gilliland.

Nay: None.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 1, 2006, contd.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1677, and was directed to be signed by the Mayor Pro Tem and attested by the City Clerk.

STAFF COMMENTS

Larry Eubanks invited the commission to attend the NIMS training at Cloud County Community College, March 6, 2006 at 7:00 p.m., in Cook Theatre.

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

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 15, 2006

The governing body met in regular session on March 15, 2006 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, Hosie, Jindra, Slaughter and Gilliland.

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, Ron Copple, Bruce Johnson, Robert Baumann, Patrick Cossel, Toby Nosker, Bruno Rehbein, Lisa and David Mikesell, Jean and Curtis Hartzell, Charles Johnson, Judy and Shawn Starr, Dave and Sharon Dutton, Greg and Annette Gallagher, Jerome Sorell, Isadore Bombardier, Larry Eubanks, Rev. Gay Robertson, Ron Deal, Lynn and Rosemary Anderson, Joan Pentico, Derry Pentico, Brenda and Brent Davenport, Arlene Clayton, Leon Wilson, Leon and Loleta Deaver, Lori Adams, and Kirk Lowell.

Commissioner Strecker moved to approve the minutes of the March 1, 2006 regular meeting as written. Commissioner Gilliland seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 5A

APPROVED

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

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARING - SHADY LAKE REDEVELOPMENT PROJECT PLAN

Among other business, in accordance with notice published in the *Concordia-Blade Empire*, and mailed to the Board of County Commissioners of Cloud County, the Kansas Development Finance Authority, the Board of Education of Unified School District No. 333, Cloud County Community College and 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 governing body reviewed the proposed redevelopment project plan and feasibility study required by the Act. Thereafter, all interested persons were afforded an opportunity to present their views on such matters. Thereupon, the public hearing was closed.

PUBLIC HEARING - MASTIN REDVELOPMENT PROJECT PLAN

Among other business, in accordance with notice published in the *Concordia-Blade Empire*, and mailed to the Board of County Commissioners of Cloud County, the Kansas Development Finance Authority, the Board of Education of Unified School District No. 333, Cloud County Community College and 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 governing body reviewed the proposed redevelopment project plan and feasibility study required by the Act. Thereafter, all interested persons were afforded an opportunity to present their views on such matters. Thereupon, the public hearing was closed.

ORDINANCE NO. 2006-2906 - SHADY LAKE REDEVELOPMENT PROJECT PLAN

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE OF THE CITY OF CONCORDIA, KANSAS ADOPTING THE SHADY LAKE 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 Gilliland, seconded by Commissioner Strecker, the Ordinance was passed by the following roll call vote:

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

Nay: None.

Thereupon, the Ordinance having been adopted by a 2/3rds vote of the members of the City Commission, it was given No. 2006-2906, and was directed to be signed by the Mayor, attested by the City Clerk and directed to be published one time in the official City newspaper.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 15, 2006, contd.ORDINANCE NO. 2006-2907 - MASTIN REDEVELOPMENT PROJECT PLANPASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE OF THE CITY OF CONCORDIA, KANSAS ADOPTING THE MASTIN 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 Gilliland, the Ordinance was passed by the following roll call vote:

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

Nay: None.

Thereupon, the Ordinance having been adopted by a 2/3rds vote of the members of the City Commission, it was given No. 2006-2907, and was directed to be signed by the Mayor, attested by the City Clerk and directed to be published one time in the official City newspaper.

ORDINANCE TO REZONE 825 E. 7THTABLED

Bruno Rehbein advised the zoning change before the commission was requested by David and Lisa Mikesell. The request is for an R-3 zone multi-family. The public hearing was held at the Planning Commission. The City has received a protest petition signed by sixteen (16) property owners or 55% of the area property owners, which would require a 4 to 1 vote in order to pass the rezone change.

David Mikesell addressed some of the issues that were in the paper regarding the trespassing, trash, safety, property value, noise and traffic.

Judy Starr presented the commission with pictures of the area around her house, which is next to Windsor apartments.

Sharon Dutton stated the property owners should have known what they were buying and made sure it was a workable solution.

Brenda Losh stated she manages the Mikesell's properties and the properties are clean and they also rent to nice people.

Shawn Starr stated he was worried if the property was rezoned to an R-3, what the future would bring.

Lisa Mikesell stated nobody can predict the future.

Dave Dutton stated there are currently three (3) apartment buildings in the neighborhood and they have 18 vacancies.

Annette Gallagher stated she would like to see no new commercial development in the area.

Commissioner Gilliland stated there are thirteen (13) factors to consider when the Planning Commission recommends a rezone to the City Commission. Commissioner Gilliland stated he was not sure that any of the complaints are part of the thirteen (13) factors, but he is willing to refer this back to the Planning Commission to consider R-2 zoning. Commissioner Gilliland stated if the recommendation from the Planning Commission was to rezone to R-3 he would support it.

Commissioner Hosie stated he was ready to refer this back to the Planning Commission to consider R-2, but did think the R-2 was much different then the R-3. Commissioner Hosie said he was not sure an R-2 could financially support a 14,000 square foot building.

Commissioner Strecker asked several questions regarding changing the area of the rezone and new structures within the area. Commissioner Strecker was for the R-3 rezone.

Commissioner Jindra stated he was in favor of referring back to the Planning Commission to study the R-2 zone, but would also support the recommendation that came back from the Planning Commission.

Following discussion, Commissioner Gilliland moved to refer the rezone of 825 E. 7th back to the Planning Commission to consider R-2 option for this property and with it coming back to the City Commission as soon as possible. Commissioner Jindra seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 15, 2006, contd.

DEDICATION OF PUBLIC RIGHT OF WAY - 825 E. 7TH (NORTH 20 FEET)

TABLED

David and Lisa Mikesell have proposed dedicating the north twenty (20) feet of their property at 825 East 7th Street as public right-of-way. Should the City accept the dedication the property will become an unimproved, unmaintained dead end alley and the adjacent property owners would be responsible for the maintenance of the adjoining unimproved until such time as it is improved. Commissioner Gilliland moved to table the dedication of public right-of-way at 825 E. 7th - North 20 feet until the rezone of 825 E. 7th is resolved. Commissioner Strecker seconded. Motion carried

RESOLUTION NO. 2006-1678 (104 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: LOTS 1 & 2 BLOCK 193, CONCORDIA, ORIGINAL TOWN. (104 WASHINGTON)

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, Hosie, Slaughter, Jindra and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1678, and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1679 (205 W. 2ND)

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 19 & 20 BLOCK 193, CONCORDIA, ORIGINAL TOWN. (205 W. 2ND)

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, Hosie, Slaughter, Jindra and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1679, and was directed to be signed by the Mayor and attested by the City Clerk.

EXECUTIVE SESSION

PRELIMINARY DISCUSSION OF REAL ESTATE ACQUISITION

At this time, Commissioner Jindra moved that the commission recess into executive session for ten (10) minutes for preliminary discussion of real estate acquisition. Commissioner Gilliland seconded. Inviting: Larry Paine and Larry Uri. Motion carried. Time: 6:45 p.m.

The commission reconvened at 6:55 p.m.

RESOLUTION NO. 2006-1680- LAND ACQUISITION

APPROVED

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

WHEREAS PURSUANT TO A DEVELOPMENT AGREEMENT DATED JULY 20, 2005, THE CITY OF CONCORDIA AGREED TO CONVEY TO MSMT, LLC A CERTAIN TRACT OF REAL ESTATE ADJOINING THE SHADY LAKE REDEVELOPMENT AREA; AND AN INVESTIGATION OF THE TITLE TO THE SAID TRACT HAS DETERMINED THAT ACQUISITION OF PROPERTY RIGHTS FROM A THIRD PARTY WILL BE NECESSARY TO COMPLETE THE SAID TRANSACTION; AND THE CITY OF CONCORDIA AND MSMT, LLC HAVE AGREED TO SHARE THE COST OF ACQUIRING THE SAID PROPERTY RIGHTS; AND THE CITY SHALL CONTRIBUTE A SUM NOT EXCEEDING \$7350 TOWARD THE ACQUISITION OF SAID PROPERTY RIGHTS.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 15, 2006, contd.

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 Jindra, Strecker, Hosie, Slaughter and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1680, and was directed to be signed by the Mayor and attested by the City Clerk.

**MAYOR/COMMISSIONER
COMMENTS AND REPORTS**

Commissioner Gilliland thanked City Manager Paine for contacting Aquila regarding the painting of the light poles and Jim Coash, Aquila, for agreeing to paint the light poles in the downtown area before Fall Fest.

Commissioner Slaughter asked how many more ADA ramps need to be installed at the corners of each block. Ron Copple advised the city has complied all of them.

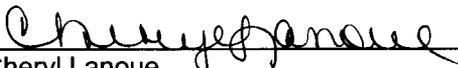
STAFF COMMENTS

Larry Eubanks showed the commission the new nozzle for the fire truck.

Kirk Lowell advised there are fifteen (15) applicants for the Concordia Downtown Grant. The review committee will meet at noon on 3-16-06 to review the applications and will schedule appointments to meet with the property owners on 3-18-06.

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.


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 5, 2006

The governing body met in regular session on April 5, 2006 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, Hosie, Jindra, Slaughter and Gilliland.

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, Robert Baumann, Patrick Cossel, Toby Nosker, Bruno Rehbein, Lisa and David Mikesell, Charles Johnson, Dave and Sharon Dutton, Isadore Bombardier, Larry Eubanks, Danny Parker, Bill Greenwood and Kirk Lowell.

Pastor Bill Greenwood, New Horizon Community Church, provided the invocation before the city commission meeting.

Commissioner Strecker moved to approve the minutes of the March 15, 2006 regular meeting as written. Commissioner Gilliland seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 6

APPROVED

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

PUBLIC COMMENTS

There were no public comments.

PROCLAMATION – ARBOR DAY

Mayor Jindra read a proclamation and declared April 28, 2006 as Arbor Day.

APPOINTMENTS – LIBRARY BOARD

MARILYN DOUGLASS & JOSHUA MEYER

City Manager Paine stated the Library contacted the city and advised that the terms of Anne Severance and Marilyn Douglass on the Library Board will expire on April 30, 2006. Mrs. Severance has served two terms which is the maximum. Marilyn Douglass was contacted and indicated an interest and willingness to serve another term on the Library Board. Joshua Meyer was contacted and indicated an interest and willingness to serve on the Library Board. Commissioner Hosie moved to reappoint Marilyn Douglass to another four (4) year term and appoint Joshua Meyer to a four (4) year term on the Library Board (May 1, 2006 through April 30, 2010). Commissioner Slaughter seconded. Motion carried.

AUTHORIZING ISSUE OF REQUEST FOR PROPOSAL TO CONDUCT A UTILITY FEASIBILITY STUDY FOR THE NORTH DEVELOPMENT

APPROVED

City Manager Paine stated the document before the city commission would authorize the request for proposals to conduct a feasibility study for utilities in the North Development. Following discussion, Commissioner Hosie moved to authorize the city manager to issue a request for proposals to conduct a utility feasibility study for the North Development. Commissioner Slaughter seconded. Motion carried.

ORDINANCE NO. 2006-2908-AMEND SEWER RATE ORDINANCE TO ALLOW COMMERCIAL CUSTOMERS TO OPT OUT OF SEWER RATE AVERAGING

PASSED

City Manager Paine stated the proposed ordinance would modify the calculation of sewer averaging for commercial customers. His recommendation would be pass the amendment before the city commission.

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE PROVIDING NONRESIDENTIAL WATER CUSTOMERS TO BE CHARGED FOR WASTEWATER SERVICES BASED ON ACTUAL USAGE FOR EACH MONTHLY BILLING PERIOD; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 20-32.1.

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

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

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 5, 2006, contd.

Nay: None.

Thereupon, the Ordinance having been adopted by a 2/3rds vote of the members of the City Commission, it was given No. 2006-2908, and was directed to be signed by the Mayor, attested by the City Clerk and directed to be published one time in the official City newspaper.

ORDINANCE NO. 2006-2909
REZONE 825 E. 7TH

PASSED

Bruno Rehbein stated the property owner asked for a change in the rezone to 2/3 of the property to be rezoned to R-3. Mr. Rehbein stated the neighbors thanked the property owners for the change in area to be rezoned.

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. BE AND IS HEREBY CHANGED AND RE-ZONED FROM "R-1" LOW DENSITY RESIDENTIAL DISTRICT, TO "R-3" HIGH DENSITY RESIDENTIAL DISTRICT.

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

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

Nay: None.

Thereupon, the Ordinance having been adopted by a 2/3rds vote of the members of the City Commission, it was given No. 2006-2909, and was directed to be signed by the Mayor, attested by the City Clerk and directed to be published one time in the official City newspaper.

DEDICATION OF PUBLIC RIGHT OF WAY - 825 E. 7TH (NORTH 20 FEET)

Bruno Rehbein stated the city commission could either accept the 20 foot piece of land or reject it. The land would be unmaintained property by the city. The property owners would be responsible for maintaining it. Following discussion, Commissioner Hosie moved to accept the dedication of public right-of-way at 825 E 7th - North 20 feet. Commissioner Slaughter seconded. Motion carried.

MAYOR/COMMISSIONER
COMMENTS AND REPORTS

Commissioner Hosie thanked Anne Severance for serving eight (8) years on the library board and the Planning Commission Members, the Mikesells and property owners in the area of 825 E. 7th for work they put in the rezone.

Commissioner Slaughter stated it was an honor to server with the four other Commissioners.

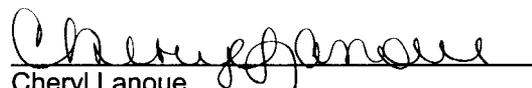
Commissioner Gilliland stated he appreciated the work done by the Planning Commission and neighbors and was glad there was a good outcome to this rezone.

STAFF COMMENTS

City Manager Paine advised Larry Eubanks received a Homeland Security grant for radios.

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 APRIL 19, 2006

The governing body met in regular session on April 19, 2006, 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 Hosie, Strecker and Slaughter.

Absent: Commissioner Gilliland.

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: Larry Remmenga, Jessica LeDuc, Toby Nosker, Ron Copple, Kirk Lowell, Bruno Rehbein, Larry Eubanks, Wesley & Jonathan Howe, Charles Johnson, Izzy Bombardier, Danny Parker, Ron Deal and Dan Koch.

Mayor Jindra removed item 6A. Announcement of Downtown Concordia Improvement Grant Program.

Commissioner Slaughter moved to approve the minutes of the April 5, 2006. Commissioner Strecker seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 7

APPROVED

Commissioner Strecker moved to approve Appropriation Ordinance No. 7. Commissioner Slaughter seconded. Motion carried.

FIRST QUARTER INVESTMENT REPORT

ACCEPTED

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

PUBLIC COMMENTS

None.

COMMISSIONER SLAUGHTER COMMENTS

Commissioner Slaughter said, "I want to say thank you Concordia, and have enjoyed serving on the city commission, while learning much about city government these past three years. I feel we five commissioners represented all of Concordia and not one small area. We have been very progressive yet have continued to lower the city tax mill levy these last three years. Yet we continued to look forward and not cut services for the citizens of Concordia. The future looks brighter with all that is happening in Concordia. And finally, Charles, as you take over this seat your decisions should be based on what is good for all of Concordia."

PRESENTATION OF PLAQUE

Mayor Jindra presented Commissioner Slaughter a plaque for the three years as City Commissioner and thanked him.

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 4, 2006 to be as follows:

For City Commission:

Charles Johnson	421
Art Slaughter	387

Following the reading of the election results from the County Clerk, Commissioner Strecker moved to declare Charles Johnson be elected to the Office of City Commissioner for a three (3) year term. Commissioner Jindra 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 Charles Johnson for a three (3) year term.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 19, 2006, contd.ANNUAL COMMISSION REORGANIZATION

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

Mayor Strecker recessed for ten (10) minutes. Time 5:37 p.m.

Commissioner reconvened at 5:47 p.m.

COMMISSIONER COMMENTS

Mayor Strecker thanked Art Slaughter and was looking forward to working with Commissioner Johnson.

Commissioner Hosie thanked Art Slaughter and welcomed Commissioner Johnson.

AGREEMENT - KDOT - 6TH & LINCOLNAPPROVED

Ron Copple, Director of Public Works, advised the commission the agreement before them is for the project at 6th & Lincoln for construction inspection and staking with Campbell & Johnson. Following discussion, Commissioner Jindra moved to authorize the Mayor to sign the agreement with KDOT and Campbell & Johnson. Commissioner Hosie seconded. Motion carried.

PUBLIC HEARINGCUNNINGHAM COMMUNICATION FRANCHISE

Mayor Strecker opened the public hearing.

There were no public comments.

Mayor Strecker closed the public hearing.

ORDINANCE NO. 2006-2910

CUNNINGHAM COMMUNICATION FRANCHISEPASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE GRANTING CUNNINGHAM COMMUNICATIONS, INC., OF GLEN ELDER, KANSAS, A FIVE (5) YEAR NONEXCLUSIVE RIGHT, AUTHORITY, POWER AND FRANCHISE TO ESTABLISH, CONSTRUCT, ACQUIRE, MAINTAIN AND OEPRATE A CLOSED-CIRCUIT ELECTRONIC SYSTEM WITHIN THE CITY OF CONCORDIA, KANSAS; TO RENDER, FURNISH AND SELL CLOSED-CIRCUIT ELECTRONIC SERVICE FORM SUCH SYSTEM TO THE INHABITANTS OF THE CITY OF CONCORDIA, KANSAS; AND TO USE AND OCCUPY THE STREETS, AS DEFINED BY SAID ORDINANCE, AND OTHER PUBLIC PLACES WITHIN THE CORPORATE LIMITS OF SAID CITY FOR ITS CLOSED-CIRCUIT ELECTRONIC SYSTEM, AS BY SAID ORDINANCE PROVIDED.

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

Aye: Commissioners Jindra, Strecker, Hosie and Johnson.

Nay: None.

Thereupon, the Ordinance having been adopted by the members of the City Commission, it was given No. 2006-2910, and was directed to be signed by the Mayor, attested by the City Clerk and directed to be published one time in the official City newspaper.

ORDINANCE NO. 2006-2911

FLOOD PLAIN DEVELOPMENT CHANGESPASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE OF THE CONCORDIA CITY COMMISSION AMENDING THE CONCORDIA ZONING REGULATIONS BY ADOPTING AMENDMENTS TO ARTICLES 19, FLOOD HAZARD REGULATIONS.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 19, 2006, contd.

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

Aye: Commissioners Jindra, Strecker, Hosie and Johnson.

Nay: None.

Thereupon, the Ordinance having been adopted by the members of the City Commission, it was given No. 2006-2911, and was directed to be signed by the Mayor, attested by the City Clerk and directed to be published one time in the official City newspaper.

ORDINANCE NO. 2006-2912
WALL SIGN CHANGES

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE OF THE CONCORDIA CITY COMMISSION AMENDING THE CONCORDIA ZONING REGULATIONS BY ADOPTING AMENDMENTS TO ARTICLES 27, REGULATING WALL SIGNS.

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

Aye: Commissioners Jindra, Strecker, Hosie and Johnson.

Nay: None.

Thereupon, the Ordinance having been adopted by the members of the City Commission, it was given No. 2006-2912, and was directed to be signed by the Mayor, attested by the City Clerk and directed to be published one time in the official City newspaper.

ORDINANCE NO. 2006-2913
RESTAURANT DEFINITION

PASSED

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, REGULATING DRINKING ESTABLISHMENTS, RESTAURANTS AND TAVERNS.

The Ordinance was considered and discussed; and thereupon Commissioner Hosie moved to pass the ordinance with the following changes to Section 4. Restaurant (b) (1) and (2) to include the language of **non-alcoholic** beverages. Commissioner Strecker seconded. The Ordinance was passed by the following roll call vote:

Aye: Commissioners Jindra, Strecker, Hosie and Johnson.

Nay: None.

Thereupon, the Ordinance having been adopted by the members of the City Commission, it was given No. 2006-2913, and was directed to be signed by the Mayor, attested by the City Clerk and directed to be published one time in the official City newspaper.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Johnson asked several questions:

1. What the speed limit was around parks?
2. Did the city receive a report on the skunk that Animal Control picked up at his house?
3. If we could look around the tennis courts at Hood Park, there might be a hole where animals are staying under the tennis courts.

STAFF COMMENTS

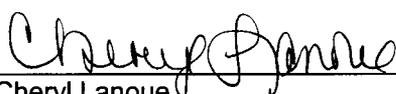
City Manager Paine stated the roof at City Hall is half complete.

Dan Koch stated he was more then happy to help the city with the repair of Campus Drive.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 19, 2006, contd.

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

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 3, 2006

The governing body met in regular session on May 3, 2006 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, Hosie, Jindra, Johnson and Gilliland.

Absent: None.

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

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

Visitors: Jessica LeDuc, Cher Knudsen, Larry Remmenga, Robert Baumann, Toby Nosker, Bruno Rehbein, Isadore Bombardier, Larry Eubanks, Danny Parker, Pastor Cory Shipley, Kirk Lowell, Tom Phillips, Doug McKinney, Bess Payton, Ron Copple, Ron Deal, Ted Samuelson, Don Dean and Laverne Clintsman.

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

Commissioner Jindra moved to approve the minutes of the April 19, 2006 regular meeting as written. Commissioner Gilliland seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 8

APPROVED

Commissioner Gilliland moved to approve Appropriation Ordinance No. 8. Commissioner Jindra seconded. Motion carried.

PROCLAMATION – BUDDY POPPY DAY

Mayor Strecker read a proclamation and declared the week of May 15-20, 2006 as Buddy Poppy Week.

PROCLAMATION – MOTORCYCLE AWARENESS MONTH

Mayor Strecker read a proclamation and declared May as Motorcycle Awareness Month.

PROCLAMATION – MENTAL HEALTH MONTH

Mayor Strecker read a proclamation and declared May as Mental Health Month.

APPOINTMENT - BOARD OF BUILDING TRADES

ROGER DEMANETTE & BRUCE BROWN

Bruno Rehbein, Building Inspector, advised the commission that Roger Demanette and Bruce Brown's terms on the Board of Building Trade expires on May 31, 2006. The city advertised for interest from the public with no response. Mr. Demanette and Mr. Brown had been contacted and are willing to serve another three (3) year term. Commissioner Gilliland moved to reappoint Roger Demanette and Bruce Brown, each to a three-(3) year term on the Board of Building Trades (6-1-06 through 5-31-09). Commissioner Hosie seconded. Motion carried.

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARING – CDBG FIRST STREET

Mayor Strecker opened the public hearing.

Doug McKinney, North Central Regional Planning Commission, informed the commission this public hearing is to review activities related to the completed street and drainage improvement project in northeast Concordia (1st, 2nd and Valley Streets). This project was partially funded through the Small Cities Community Development Block Grant program of the Kansas Department of Commerce (CDBG #04-PF-326) and the hard work from the street department and administrative staff.

Kirk Lowell, CloudCorp, thanked the city for the positive leadership role in this project. Mr. Lowell also thanked Ron Copple, commission and city staff for the excellent work on First Street.

Mayor Strecker closed the public hearing.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 3, 2006, contd.**ACCEPT CONTRACT FOR
SIDEWALK - MAJESTIC THEATER****ACCEPTED**

Larry Paine, City Manager informed the commission he authorized Phase 1 of the Majestic Theater sidewalk project last week. Eric Johnson, Campbell & Johnson solicited bids for the sidewalk project. The contract was awarded to Concordia Ready Mix.

Mr. Paine recommended staff to approve the contract for the sidewalk at the Majestic Theater and allow contractor to proceed with Phase 2 and Phase 3 of the project. Commissioner Jindra moved to accept the contract for sidewalk paving at the Majestic Theater. Commissioner Gilliland seconded. Motion carried.

**RESOLUTION NO. 2006-1681 – KEY/MATTHEWS
NUISANCE ABATEMENT– 604 W. 6th****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. 139' OF LOT 1, BLOCK 7, CONCORDIA, GAYLORD AND MATTHEWS'S ADDITION (604 W. 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, Hosie, Johnson, Jindra and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1681, and was directed to be signed by the Mayor and attested by the City Clerk.

**RESOLUTION NO. 2006-1682 – KENDALL/SCHOENBRUNN
NUISANCE ABATEMENT– 219 W. 3RD****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, CONCORDIA, ORIGINAL TOWN. (219 W. 3RD)

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

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

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1682, and was directed to be signed by the Mayor and attested by the City Clerk.

**ORDINANCE NO. 2006-2914-
TEXT AMENDMENT-ARTICLE 11
HIGHWAY 81 OVERLAY****PASSED**

Bruno Rehbein, Building Inspector, informed the commission the ordinance before them would create Article 11 in the zoning regulations. This article is the text that regulates the Highway 81 Mixed Use Overlay District (HMOD). LandPlan Engineering was hired to do a feasibility study on the Highway 81 corridor to help stimulate commercial development along Highway 81. The HMOD is from approximately 6th Street to 13th Street on Highway 81.

Mr. Rehbein stated in Section 11-701 d. of the proposed ordinance, the word "feet" was inadvertently left out. The word "feet" will be added to Section 11-701 d.

Thereupon there was presented an Ordinance entitled:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 3, 2006, contd.

AN ORDINANCE OF THE CONCORDIA CITY COMMISSION AMENDING THE CONCORDIA ZONING REGULATIONS BY CREATING A NEW ARTICLE 11 IN THE CONCORDIA ZONING REGULATIONS (HIGHWAY 81 OVERLAY)

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

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

Nay: None.

Thereupon, the Ordinance having been adopted by a 2/3rds vote of the members of the City Commission, it was given No. 2006-2914, and was directed to be signed by the Mayor, attested by the City Clerk and directed to be published one time in the official City newspaper.

**MAYOR/COMMISSIONER
COMMENTS AND REPORTS**

Mayor Strecker thanked Ron and his crew for the job well done on the First Street project.

Commissioner Johnson asked about a detailed plan for the Shady Lake development TIF project. He stated according to state statutes a detailed plan must be submitted. Larry Uri, City Attorney, informed Mr. Johnson there is a detailed plan in place for the this TIF project. The city's bond counsel reviewed the detailed plan and said the plan was sufficient.

Commissioner Hosie questioned the progress of the theater parking lot and was concerned the project was not completed in the time frame stated in the contract (completion date of April 22, 2006). Mr. Paine informed Commissioner Hosie work was not started until April 13th. Commissioner Hosie asked what the penalty is for not having the project completed by completion date. Mr. Paine stated the penalty, as set in the contract, was \$150.00 per day. Commissioner Hosie voiced his concern for theater parking.

STAFF COMMENTS

City Manager Paine advised the commission about the material that was used on the roof at City Hall. Mr. Paine asked Ron Copple to inform the commission about the KDOT project at 6th & Lincoln.

Ron Copple advised the commission Smoky Hill was awarded the contract for the project with a start date no later than August 20, 2006. The project should take approximately 30 days.

Commissioner Hosie stated he noticed lots of lights by the grave stones in the cemetery. He questioned the guidelines for placing things near a grave and who would be responsible if a light was damaged. Mr. Copple informed the commission there is an ordinance in place dealing with fencing, tree planting, etc. in the cemetery. The city could use the nuisance abatement process if there was a problem in the cemetery. Mr. Copple also stated he could possibly run an article in the paper reminding the public about the guidelines for the cemetery.

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

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


Lisa Fleming
Assistant Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 17, 2006

The governing body met in regular session on May 17, 2006 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, Hosie, Jindra, Johnson and Gilliland.

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, Robert Baumann, Patrick Cossel, Toby Nosker, Danny Parker, David Brewer, Ron Deal, Larry Eubanks, Ron Copple, Pastor Cory Shipley, Kirk Lowell, Jonathan Genereux and Josi Mark.

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

Commissioner Hosie moved to approve the minutes of the May 3, 2006 regular meeting with the following amendment under Sidewalk - Majestic Theater:

Quotes were received from the following:

Ron Solt of Solt Construction		Dan Koch of Koch Excavating(Concordia Ready Mix)	
Concrete Work	\$34,450.00	Phase I (Entrance Work)	\$10,741.00
Paver Work	<u>8,100.00</u>	Phase II (West side Work)	\$17,904.00
		Phase III (East side Work)	<u>\$11,950.00</u>
Total	\$42,550.00	Total	\$40,595.00

Commissioner Jindra moved to approve the quote from Concordia Ready Mix in the amount of \$40,595.00. Commissioner Gilliland seconded. Motion carried.

Commissioner Strecker seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 9

APPROVED

Commissioner Jindra moved to approve Appropriation Ordinance No. 9. Commissioner Gilliland seconded. Motion carried.

PUBLIC COMMENTS

David Brewer commented about the parking ticket he received on Monday morning in front of Monique & Co. Mr. Brewer understands enforcing the law but did not understand why the officer did not talk to him or why it had not been enforced before. Mayor Strecker asked if Mr. Brewer would talk to City Manager Paine and the Police Chief regarding this issue.

PUBLIC WORKS- UTILITY VEHICLE & WHEEL LOADER AND UTILITIES - BACKHOE SPECIFICATIONS

APPROVED

Ron Copple, Director of Public Works, presented the utility vehicle and wheel loader specifications as follows:

Utility Vehicle Minimum Specifications

Engine:	Gas
Transmission:	Shall have Forward, Neutral and Reverse
Tires:	Turf
Electrical System:	12 volt with Charging System
Hitch:	Rear
Towing Capacity:	900 LBS
Cargo Bed:	Load Capacity 400 LBS, Cargo Box to be able to dump.
Lights:	Head and Tail lights
All standard Items not described	
Maintenance Manuals	
With and without trade of 1995 Utility Vehicle	

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 17, 2006, contd.

Wheel Loader Minimum Specifications

BASIC SPECS

Minimum operating weight of 24,000 Lbs with an optional 380 Lbs counterweight, quick coupler standard lubricants, full fuel tank, ROPS cab, 2.2 yd³ bucket and 20.5-25 12PR.

STEERING SYSTEM

—

Steering angle shall be 40 degrees.
Machine shall have two (2) steering cylinders.

POWER TRAIN: ENGINE

Engine shall be a diesel 6 cylinder, turbocharged.
Engine shall be Tier II compliant and meet or exceed all current EPA emissions requirements.
Tier II compliance certificate shall be available upon request.
Minimum rated net horsepower shall be 96 kW (129 hp).
Minimum "maximum net horsepower" shall be 102 kW (137 hp).
Machine shall have a block heater.
Precleaner, dustbowl

DRIVE TRAIN: TRANSMISSION

Machine shall have a means forward/neutral/reverse.
Machine shall have an auto shift transmission with 4F/3R travel speeds.
Transmission shall have manual and auto shift settings with variable shift (fuel economy) and power shift (aggressive loading) modes.

POWER TRAIN: AXLES

Machine shall have fixed front axles and oscillating rear axles.
Machine shall have limited slip axles front and rear.

POWER TRAIN: BRAKES

Service brakes shall be disk brakes on front and rear axles.
Machine shall have a parking brake.

ELECTRICAL

Machine shall have an 80 amp alternator.
Machine shall have two (2) 12V 950 cc batteries.
Machine shall have a battery disconnect switch.
Machine shall have a standard backup alarm.
Machine shall have all standard lighting.
Machine shall have strobe light.

OPERATOR'S STATION

ROPS shall meet SAE J1040 May 94 and ISO 3471-1994.
FOPS shall meet SAE J231 Jan 81 and ISO 3449-1992 Level 2.
Machine shall have front and rear windshield wipers.
Machine shall have gauges including hydraulic, engine and transmission temperatures as well as fuel level.
Warning/indicator and diagnostic functions shall include: Primary electrical system voltage low, coolant temperature, engine oil pressure

low, parking brake applied, brake charge pressure low, transmission oil temperature, transmission oil filter bypass, and hydraulic oil filter bypass. Hydraulic joystick control shall operate both lift and tilt functions. Joystick shall integrate transmission direction switch.
 Standard seat options shall be available.
 Standard fenders.
 Mirrors, rearview, internal

LOADER LINKAGE AND BUCKET

Electronic "quick coupler" shall be available for a tool carrier.
 Bucket clearance at minimum lift and Level at 13'.
 Bucket shall have bolt on teeth and segments
 Bucket size shall be 2.2 cubic yards.
 3rd function hydraulics shall be available for use with work tools that require additional hydraulic power.

ENVIRONMENTALLY CONSCIOUS DESIGN

- Y___ N___ Emissions requirements shall meet or exceed worldwide requirements and be Tier II compliant.
- Y___ N___ Air conditioning system shall utilize R-134a refrigerant which does not contain CFCs (chlorofluorocarbons).

MANUALS

- Y___ N___ Operation, Maintenance and Instruction ANSI Manuals. (English)

WARRANTY

- Y___ N___ Five year full machine warranty must include travel time and mileage.
- Y___ N___ Five year or 5000 hour guaranteed buy back. Guaranteed buy back priced \$_____ With or without trade of 1984 Wheel Loader Cat.

Larry Remmenga, Director of Utilities, presented the Backhoe specifications as follows:

Backhoe Minimum Specifications

- Shall have 80 net horsepower at 2200 RPM, turbocharged diesel engine
- Shall be equipped with alternator that has a charge capacity minimum of 90 amperes or more.
- Unit shall be able to change direction and travel speed "on the go".
- Unit shall have a high gear speed of no less than 20 mph.
- Transmission, differentials and hydraulics shall have separate fluid reservoirs.
- Brakes shall be fully self-adjusting
- Machine shall be able to reach maximum lift capacity at any engine speed
- OSHA approved ROPS/FOPS shall be integral with cab
- Cab shall include factory-installed heater/defroster with multiple speed blower with the control in reach from the front and rear of the machine.
- Unit shall be equipped with optional air conditioner
- Machine shall come standard with horn, audible back up alarm and electric fuel system shut off.
- Shall have rear boom with extendable stick. Digging depth shall be at least 18'1".
- Shall have quick release bucket capabilities on rear boom
- Shall have 24" High Capacity rear bucket w/quick attach
- Shall have 18" High Capacity rear bucket w/quick attach
- Shall have auxiliary hydraulic outlet on rear boom
- Shall have self leveling 4 in 1 front bucket, with fork lift. Bucket shall have minimum capacity of 1 ¼ yards.
- Shall be rear wheel (2 wheel drive) driven
- Shall have auto-shift transmission, 4 or 5 speed

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 17, 2006, contd.

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 Jindra, seconded by Commissioner Gilliland, the Resolution was adopted by the following roll call vote:

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

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1685, and was directed to be signed by the Mayor and attested by the City Clerk.

**RESOLUTION NO. 2006-1686 – BARBARA HAMILTON
NUISANCE ABATEMENT– 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 Hosie, seconded by Commissioner Strecker, the Resolution was adopted by the following roll call vote:

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

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1686, and was directed to be signed by the Mayor and attested by the City Clerk.

**RESOLUTION NO. 2006-1687 – TERRANCE EATON
NUISANCE ABATEMENT– 323 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 15, BLOCK 78, ORIGINAL TOWN (323 E 12TH)

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

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

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1681, and was directed to be signed by the Mayor and attested by the City Clerk.

ORDINANCE NO. 2006-2915-CODE AMENDMENT

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE AMENDING A REFERENCE TO A SECTION OF THE CONCORDIA CODE CONCERNING EXCEPTIONS TO TRUCK ROUTE RESTRICTIONS; REPEALING SECITON 19-142 OF THE CONCORDIA CODE; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 19-142.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 17, 2006, contd.

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

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

Nay: None.

Thereupon, the Ordinance having been adopted by a 2/3rds vote of the members of the City Commission, it was given No. 2006-2915, and was directed to be signed by the Mayor, attested by the City Clerk and directed to be published one time in the official City newspaper.

**MAYOR/COMMISSIONER
COMMENTS AND REPORTS**

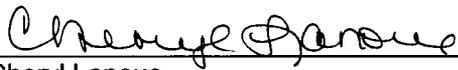
Commissioner Johnson stated he would like to see a statement from the Attorney General on the Shady Lake detailed plan.

Mr. Uri stated he was waiting for a written response from Gilmore & Bell on the issue.

STAFF COMMENTS

City Manager Paine updated the commission on the parking lot behind the theater. Mr. Paine also stated today was Larry Eubanks last day with the US Army and tomorrow would be his first day as Fire Chief.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 7, 2006

The governing body met in regular session on June 7, 2006 at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hosie, Jindra, Johnson and Gilliland.

Absent: Commissioner Strecker.

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

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

Visitors: Jessica LeDuc, Larry Remmenga, Toby Nosker, Larry Eubanks, Ted Collins, Don Dean, David Cunningham, Bersita Mendenhall, James Mendenhall, Ron Deal, Danny Parker, Pastor John States and Kirk Lowell.

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

Commissioner Jindra moved to approve the minutes of the May 17, 2006 regular meeting with the following amendment: RESOLUTION NO. 2006-1683 PETTY CASH - THE GOVERNING BODY FINDS IT ADVISABLE IN THE INTEREST OF EFFICIENT ADMINISTRATION TO AUTHORIZE THE ESTABLISHMENT AND OPERATION OF CERTAIN PETTY CASH FUNDS AS PERMITTED BY K.S.A. 12-171. Commissioner Hosie seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 10

APPROVED

Commissioner Johnson moved to approve Appropriation Ordinance No. 10. Commissioner Jindra seconded. Motion carried. Don Dean advised the parking lot project was twelve (12) days past the completion date with a penalty of \$1800 and overruns were between \$6,000 and \$7,000. Commissioner Hosie asked for the date started, finished, rain days and number of work days past April 22nd. Mr. Dean stated he would provide the information to the commission.

PUBLIC COMMENTS

Bersita Mendenhall stated her brother-in-law had received a letter stating the city would be in on the 19th day of June to clean up the nuisance. Ms. Mendenhall stated James, Raymond and Delbert asked for a hearing and have not had the hearing. Mr. Uri stated the City Manager had two attend a meeting with him and a hearing before the city commission was talked about. James Mendenhall stated he was making progress on the cleaning up asked for additional time. Commissioner Gilliland stated he needs to talk to the City Manager to make additional arrangements.

CLOUDCORP ANNUAL PRESENTATION & 2007 APPROPRIATION REQUEST

Kirk Lowell, Director of CloudCorp, advised the commission about the 2007 funding request for CloudCorp. Mr. Lowell advised the work in the North Development is an important project. We have a local business that would like to expand to the North. There are three out of state manufacturing opportunities and they are working on a housing needs assessment. CloudCorp is requesting \$45,000 for year 2007. The funding request is the same as last year. Mr. Lowell asked the commission for any questions or comments and there were none.

CUNNINGHAM COMMUNICATION UPDATE

David Cunningham advised Cunningham Communication has purchased Cebridge effective the 1st of June. They ask for the public to be patient during this transition time.

ACCEPT BIDS FOR PUBLIC WORKS AND UTILITY DEPARTMENTS

TABULATION SHEET

DATE: 05-31-06
TIME: 1:30 P.M.

**PUBLIC WORKS
UTILITY VEHICLE**

WOMACK

**SELLERS
EQUIPMENT**

KANEQUIP

MURPHY

Make & Model	07' Kawasaki Mule 600	Kubota RTV 900	Landpride Treker 4200 ST	No Bid
Without Trade	5,314.50	9,594.00	6,867.00	
Less Trade	600.00	1,000.00	1,000.00	
Net Price	4,714.50	8,594.00	5,867.00	

PUBLIC WORKS WHEEL LOADER

	WOMACK	SELLERS EQUIPMENT		KANEQUIP	MURPHY
Make & Model	No Bid	JCB 426 HT	426 HT High Lift	New Holland W130	John Deere 544J
Without Trade		127,222.00	133,418.00	107,653.20	128,908.00
Less Trade		18,725.00	18,725.00	18,000.00	20,000.00
Net Price		108,497.00	114,693.00	89,653.20	108,908.00
Buy Back Price		0.00	0.00	48,000.00	72,000.00

UTILITIES: BACKHOE w/trade of '90 Ford F- 555

	WOMACK	SELLERS EQUIPMENT	KAN EQUIP	MURPHY
Make & Model	No Bid	JCB 214	New Holland 13-95	John Deere 310 SG
Without Trade		73,092.00	54,753.78	82,079.00
Less Trade		7,300.00	12,000.00	10,000.00
Net Price		65,792.00	42,753.78	72,079.00
Buy Back Price		0.00	20,000.00	37,500.00

UTILITIES: BACKHOE w/trade of '82 Ford F-555

Make & Model	No Bid	JCB 214	New Holland 13-95	No Bid
Without Trade		73,092.00	54,753.78	
Less Trade		4,500.00	8,000.00	
Net Price		68,592.00	46,753.78	
Buy Back Price		0.00	20,000.00	

Ron Copple, Public Works Director, recommends the purchase of the utility vehicle from the low bid of \$4,714.50, with trade from Womack Sunshine Ford. Commissioner Gilliland moved to approve the bid from Womack for \$4,714.50 with trade. Commissioner Jindra seconded. Motion carried.

Ron Copple, Public Works Director, recommends the purchase of the loader for \$98,327, with trade from Martin Tractor. Commissioner Jindra moved to approve the bid from Martin Tractor for \$98,327 with trade of the 1985 Cat loader. Commissioner Johnson seconded. Motion carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 7, 2006, contd.

Larry Remmenga, Director of Utilities, recommends the bid from Martin Tractor with the alternate bid of \$65,960.00 and the Public Works Department purchasing their backhoe for the trade difference of \$2,000, making the net cost to the utility department \$63,960. Commissioner Jindra moved to approve the \$65,960 for the backhoe with alternate trade of the 1982 Ford F-555. Commissioner Gilliland seconded. Motion carried.

APPROVE CONTRACT FOR WATER TOWER LEASE U.S. CELLULAR

Larry Remmenga, Director of Utilities, advised the commission on the lease with USCOC of Nebraska/Kansas LLC for a period of three (3) consecutive five (5) year periods or fifteen (15) years.

The base rent shall be \$600 per month with the first payment beginning when construction starts. Following discussion Commissioner Hosie moved to authorize the Mayor to sign the lease agreement. Commissioner Gilliland seconded. Motion carried.

PETITION - CURB & GUTTER PROJECT TED & NANCY COLLINS-525 W. 6TH ACCEPTED

Ron Copple, Director of Public Works, advised the commission the city received two signed petitions for the curb and gutter replacement project.

Commissioner Hosie moved to accept the petition from Ted and Nancy Collins (525 W. 6th). Commissioner Johnson seconded. Motion carried.

PETITION - CURB & GUTTER PROJECT LARRY BLOCHLINGER - 1015 STATE ACCEPTED

Commissioner Jindra moved to accept the petition from Larry Blochlinger (1015 State). Commissioner Hosie seconded. Motion carried.

RESOLUTION NO. 2006-1688 CURB & GUTTER REPAIR - TED & NANCY COLLINS-525 W. 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 Johnson 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 Johnson, Jindra, Gilliland and Hosie.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2006-1688 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2006-1689 CURB & GUTTER REPAIR - LARRY BLOCHLINGER - 1015 STATE ACCEPTED

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.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 7, 2006, contd.

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

Yea: Commissioners Johnson, Jindra, Gilliland and Hosie.

Nay: None

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2006-1689 and was signed by the Mayor and attested by the Clerk.

**RESOLUTION NO. 2006-1690 –
NUISANCE ABATEMENT– 1321 STATE**

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 65' OF LOTS 5, 6, & 7, BLOCK 62, IN THE ORIGINAL TOWN.

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 Hosie, Johnson, Jindra and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1690, and was directed to be signed by the Mayor and attested by the City Clerk.

**RESOLUTION NO. 2006-1691 –
NUISANCE ABATEMENT– 112 W 11TH**

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 81, IN THE ORIGINAL TOWN.

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 Hosie, Johnson, Jindra and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1691, and was directed to be signed by the Mayor and attested by the City Clerk.

**RESOLUTION NO. 2006-1692 –
NUISANCE ABATEMENT– 322 E 16TH**

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 & 5, BLOCK 37, IN THE ORIGINAL TOWN.

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

Aye: Commissioners Hosie, Johnson, Jindra and Gilliland.

Nay: None.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 7, 2006, contd.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1692, and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1693 –
NUISANCE ABATEMENT– 214 E 13TH

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 22' OF LOT 5 AND ALL OF LOT 6, BLOCK 61, IN THE ORIGINAL TOWN.

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

Aye: Commissioners Hosie, Johnson, Jindra and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1693, and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1694 –
NUISANCE ABATEMENT– 910 W 11TH

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: BLOCK 1 IN LOST CREEK HILLS, IN THE ORIGINAL TOWN.

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 Hosie, Johnson, Jindra and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1694, and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1695 –
NUISANCE ABATEMENT– 326 W 6TH

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.

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

Aye: Commissioners Hosie, Johnson, Jindra and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1695, and was directed to be signed by the Mayor and attested by the City Clerk.

MAYOR/COMMISSIONER
COMMENTS AND REPORTS

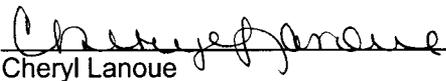
Commissioner Johnson asked if the old Fairmont Building could be cleaned up.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 7, 2006, contd.

STAFF COMMENTS

Larry Eubanks advised the commission the new fire nozzle would free up personnel to work other places during a fire.

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 21, 2006

The governing body met in regular session on June 21, 2006 at 5:33 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hosie, Jindra, Johnson and Gilliland.

Absent: Commissioner Strecker.

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

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

Visitors: Jessica LeDuc, Larry Remmenga, Toby Nosker, Bruno Rehbein, Larry Eubanks, Danny Parker, Pastor John States, Kirk Lowell, Isadore Bombardier, Tom Phillips, Ron Deal and Arlene Clayton.

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

Commissioner Jindra moved to approve the minutes of the June 7, 2006 regular meeting as written. Commissioner Hosie seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 11

APPROVED

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

APPOINTMENT TO BOARD OF ZONING APPEALS

JEFF THOMAN

Commissioner Hosie moved to appoint Jeff Thoman to fill an unexpired term on the Board of Zoning Appeals, with his term ending January 19, 2008. Commissioner Johnson seconded. Motion carried.

PUBLIC COMMENTS

Arlene Clayton stated the fine for Jay Walking in Concordia is \$120.00.

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.

ORDINANCE NO. 2006-2916-
HIGHWAY 81 OVERLAY R-1 TO C-2

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. (R-1 TO C-2)

The Ordinance was considered and discussed. Commissioner Jindra moved to pass Ordinance 2006-2916 with the following correction: SECTION 4. That Section 3-201 of Article 3 of the Zoning Ordinance is hereby amended to include the above zoning district amendments and the official City Zoning District Map, as amended, is hereby reincorporated in the said Zoning Ordinance for the City of Concordia, Kansas. Commissioner Gilliland seconded. The vote being as follows:

Aye: Commissioners Jindra, Hosie, Gilliland and Johnson.

Nay: None.

Thereupon, the Ordinance having been adopted by a 2/3rds vote of the members of the City Commission, it was given No. 2006-2916, 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.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 21, 2006, contd.

ORDINANCE NO. 2006-2917-
HIGHWAY 81 OVERLAY R-3 TO C-2

PASSED

Thereupon there was presented an Ordinance entitled:

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. (R-3 TO C-2)

Commissioner Hosie moved to pass Ordinance 2006-2917 with the following correction: SECTION 4. That Section 3-201 of Article 3 of the Zoning Ordinance is hereby amended to include the above zoning district amendments and the official City Zoning District Map, as amended, is hereby reincorporated in the said Zoning Ordinance for the City of Concordia, Kansas. Commissioner Jindra seconded. The vote being as follows:

Aye: Commissioners Jindra, Hosie, Gilliland and Johnson.

Nay: None.

Thereupon, the Ordinance having been adopted by a 2/3rds vote of the members of the City Commission, it was given No. 2006-2917, 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.

ORDINANCE NO. 2006-2918-
HIGHWAY 81 OVERLAY -HMOD

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.

Commissioner Gilliland moved to pass Ordinance 2006-2918 with the following correction: SECTION 4. That Section 3-201 of Article 3 of the Zoning Ordinance is hereby amended to include the above zoning district amendments and the official City Zoning District Map, as amended, is hereby reincorporated in the said Zoning Ordinance for the City of Concordia, Kansas. Commissioner Hosie seconded. The vote being as follows:

Aye: Commissioners Jindra, Hosie, Gilliland and Johnson.

Nay: None.

Thereupon, the Ordinance having been adopted by a 2/3rds vote of the members of the City Commission, it was given No. 2006-2918, 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.

MAYOR/COMMISSIONER
COMMENTS AND REPORTS

Commissioner Hosie asked how the summer recreation programs were going.

City Manager Paine stated things are working well.

Commissioner Johnson asked when the audit would be presented.

City Manager Paine stated he was not sure, but usually in the months of May, June or July.

Kirk Lowell, CloudCorp, presented a spreadsheet of the Downtown Concordia Improvement Grant Program, which showed the approved applicants and five pending applications.

STAFF COMMENTS

Larry Eubanks, Fire Chief, advised the commission the Homeland Security Grant was \$63,000 this year with the funds being allocated to the following:

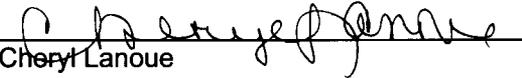
MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 21, 2006, contd.

City Hall/Police Department - Security -	\$16,000
Radio System - City	17,000
ID System	2,000
Hospital - Security	19,000

Fire Chief Eubanks stated James Buller and Angela Sjogren were on the President's list at Barton County Community College.

Fire Chief Eubanks presented the survey which was done by the Board of EMS.

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


 Cheryl Lanoue
 City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 5, 2006

The governing body met in regular session on July 5, 2006 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, Hosie, Jindra, Johnson and Gilliland.

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, Toby Nosker, Bruno Rehbein, Isadore Bombardier, Larry Eubanks, Danny Parker, Pastor Bill Greenwood, Ima Jean Chavey, Doug Glenn and Arlene Clayton.

Pastor Bill Greenwood, New Horizon Community Church, provided the invocation before the city commission meeting.

Commissioner Gilliland moved to approve the minutes of the June 21, 2006 regular meeting as written. Commissioner Hosie seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 12

APPROVED

Commissioner Jindra moved to approve Appropriation Ordinance No. 12. Commissioner Gilliland seconded. Motion carried.

ACCEPT RESIGNATION – ISADORE BOMBARDIER – PLANNING COMMISSION

Commissioner Gilliland moved to accept Isadore Bombardier's resignation. Commissioner Jindra seconded. Motion Carried.

The Commission thanked Isadore for serving on the Planning Commission.

APPOINTMENT TO PLANNING COMMISSION

JEFF THOMAN

Commissioner Hosie moved to appoint Jeff Thoman to fill an unexpired term on the Planning Commission, with his term ending November 1, 2008. Commissioner Strecker seconded. Motion carried.

PUBLIC COMMENTS

Isadore Bombardier thanked the Commission for appointing him to the Planning Commission.

Arlene Clayton talked about the Flint Hills Tourism Collision and stated Cloud and Republic Counties are not part of this.

ACCEPTANCE OF 2005 AUDIT

Mr. Doug Glenn, Mayer, Hoffman, McCann, PC, thanked the Commission for allowing Mayer, Hoffman, McCann to perform the City's audit. Mr. Glenn stated the city had a clean opinion; there were no cash or budget law violations. Mr. Glenn then went through the management letter. Following discussion, Commissioner Hosie moved to accept the 2005 audit. Commissioner Gilliland seconded. Motion carried.

DEDICATION – UTILITY EASEMENT – 1601 LINCOLN

City Attorney Uri presented the utility easement to the City Commission for information only at this time. Mr. Uri stated this would come back to the City Commission in the form of a Resolution to accept the utility easement on the August 2, 2006 meeting.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 5, 2006, contd.

RESOLUTION NO. 2006-1696
EASEMENT VACATION – 1601 LINCOLN

APPROVED

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

THE GOVERNING BODY HAS DETERMINED IT TO BE APPROPRIATE TO VACATE AN EASEMENT KNOWN AS 1601 LINCOLN IN THE CITY OF CONCORDIA, KANSAS. AN ORDINANCE VACATING THE EASEMENT SHALL BE CONSIDERED BY THE GOVERNING BODY AT A MEETING DULY CALLED AND HELD AT CITY HALL ON AUGUST 2, 2006.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1696 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2006-1697
EASEMENT VACATION – 316 W 15TH

APPROVED

City Attorney Uri stated in the second Whereas the word the after vacate needed deleted.

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

THE GOVERNING BODY HAS DETERMINED IT TO BE APPROPRIATE TO VACATE AN EASEMENT KNOWN AS 316 W. 15TH IN THE CITY OF CONCORDIA, KANSAS. AN ORDINANCE VACATING THE EASEMENT SHALL BE CONSIDERED BY THE GOVERNING BODY AT A MEETING DULY CALLED AND HELD AT CITY HALL ON AUGUST 2, 2006.

The Resolution was considered and discussed; and thereupon Commissioner Jindra moved to approve the Resolution with the following change: WHEREAS, upon the request, the Governing Body has determined it may be appropriate to vacate that part of the said easement described as: (deletion of the word the). Commissioner Gilliland seconded. The Resolution was adopted by the following roll call vote:

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1697 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2006-1698-
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 LOT 16, BLOCK 178, IN THE CITY OF CONCORDIA (219 W 3RD) WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$177.98.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1698 and was signed by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 5, 2006, contd.

RESOLUTION NO. 2006-1699-
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 N 139' OF LOT 1, BLOCK 7, GAYLORD & MATTHEWS ADDITION (604 W 6TH) WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$142.98.

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

- Aye: Commissioners Hosie, Jindra, Strecker, Gilliland and Johnson.
- Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1699 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2006-1700 –
NUISANCE ABATEMENT– 128 STRAIN AVE. 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 SUBDIVISION INTERSTATE ADDITION (128 STRAIN AVE.)

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, Hosie, Johnson, Jindra and Gilliland.
- Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1700, and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1701 –
NUISANCE ABATEMENT– 416 W 13TH 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 64 (416 W 13TH).

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

- Aye: Commissioners Strecker, Hosie, Johnson, Jindra and Gilliland.
- Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1701, and was directed to be signed by the Mayor and attested by the City Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 5, 2006, contd.

ORDINANCE NO. 2006-2919- MUNICIPAL COURT COSTS

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE INCREASING COURT COSTS FOR CONCORDIA MUNICIPAL COURT AS NECESSARY TO FUND AN INCREASE IN COURT COSTS REQUIRED BY THE STATE OF KANSAS; REPEALING CONCORDIA CODE SECTION 12-6; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 12-6.

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

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

Nay: None.

Thereupon, the Ordinance having been adopted by a 2/3rds vote of the members of the City Commission, it was given No. 2006-2919, and was directed to be signed by the Mayor, attested by the City Clerk and directed to be published one time in the official City newspaper.

MAYOR/COMMISSIONER
COMMENTS AND REPORTS

Commissioner Johnson asked about the jay walking fine, and if they could receive a report.

Mr. Uri stated he would check on this.

Mr. Johnson asked if the E 911 system was running.

Mr. Paine stated the mapping is not finished, but we are hoping for the end of the week.

Mr. Johnson asked if with the new radios the city and county would be able to communicate.

Mr. Eubanks stated the city is able to communicate with the County through Emergency Preparedness.

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

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


Cheryl Lanoue
City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 2, 2006

The governing body met in regular session on August 2, 2006 at 5:35 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hosie, Jindra, Johnson and Gilliland.

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, Toby Nosker, Larry and Janet Eubanks, Pastor Cory Shipley, Bev Mortimer, Ima Jean Chavey, Ron Deal, Ron Copple, Steve Dailey, Renee and John Hubert, Lisa Fleming, Bruno Rehbein, Darrell Kearm and Kirk Lowell.

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

Commissioner Johnson moved to approve the minutes of the July 19, 2006 regular meeting with the following amendment: Mayor Pro Tem Gilliland **added** Mid Kansas Homes & Mover, LLC Redevelopment Agreement to the work session. Commissioner Jindra seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 14

APPROVED

Commissioner Johnson asked several questions regarding the inspection of sidewalks, breezeway and parking lot at the Theatre. Mr. Paine advised he would provide copies of the agreements.

Commissioner Jindra moved to approve Appropriation Ordinance No. 14. Commissioner Hosie seconded. Motion carried.

PUBLIC COMMENTS

There were no public comments.

SLURRY SEAL

Ron Copple, Director of Public Works, advised the Commission the city did not receive any bids on the projects and the plan was to re-bid the 2006 projects with the 2007 projects the first of the year.

WAIVER TO RETAIN BENEFITS FOR EMPLOYEE ON LEAVE OF ABSENCE

Mr. Paine said Bob Baumann has been using his accrued sick and vacation leave, which would run out this month. Mr. Paine asked the city commission to approve a waiver to continue Bob Baumann's health insurance for the month of September.

Commissioner Johnson asked the premium cost. Mr. Paine advised approximately \$1,000.

Commissioner Gilliland stated he did not have a problem with this but it would set precedent for other employees. Commissioner Gilliland suggested there should be a policy that addresses the amount of time for this type of waiver.

City Clerk Lanoue stated under the Family Medical Leave Act an employee which has worked 1250 hours or been with the city for one (1) year is eligible for Family Medical Leave Act. Under this act, the employee's position or similar position and health care benefits are protected for twelve (12) weeks. The employee would be required to pay the premium of the health insurance and complete the necessary paperwork.

City Manager Paine stated Bob Baumann was excellent employee and felt this was appropriate to do for employees in high standings. Mr. Paine stated some front office staff felt he did not have the authority to give a waiver, which he already did.

Commissioner Gilliland moved to approve the waiver for Bob Baumann to continue to receive health insurance benefits during his Leave of Absence - September. Commissioner Jindra seconded. The vote being as follows:

Aye: Commissioners Gilliland, Jindra and Hosie.

Nay: Commissioner Johnson.

Motion Carried.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 2, 2006, cont.

PUBLIC HEARING VACATION - 1601 LINCOLN

Mayor Pro Tem Gilliland opened the public hearing for the vacation on 1601 Lincoln.

There being no comments, Mayor Pro Tem Gilliland closed the public hearing.

PUBLIC HEARING VACATION - 316 W 15TH

Mayor Pro Tem Gilliland opened the public hearing for the vacation on 316 W 15th.

There being no comments, Mayor Pro Tem Gilliland closed the public hearing.

ORDINANCE NO. 2006-2920-(EASEMENT VACATION 1601 LINCOLN) **PASSED**

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE VACATING LOTS THREE (3), FOUR (4) AND FIVE (5) IN BLOCK THIRTY-SIX IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS.

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

Aye: Commissioners Jindra, Hosie, Gilliland and Johnson.

Nay: None.

Thereupon, the Ordinance having been adopted by a 2/3rds vote of the members of the City Commission, it was given No. 2006-2920, 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.

ORDINANCE NO. 2006-2921-(EASEMENT VACATION 316 W 15TH) **PASSED**

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE VACATING LOTS THE WEST TWENTY-FIVE (W 25) FEET OF LOT FOUR (4) IN BLOCK FORTY-SEVEN (47) IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS.

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

Aye: Commissioners Jindra, Hosie, Gilliland and Johnson.

Nay: None.

Thereupon, the Ordinance having been adopted by a 2/3rds vote of the members of the City Commission, it was given No. 2006-2921, 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.

RESOLUTION NO. 2006-1705 **APPROVED**
UTILITY EASEMENT - 1601 LINCOLN

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

WHEREAS, THE GOVERNING BODY FINDS IT ADVISABLE TO ACCEPT THE DEDICATION OF A CERTAIN RIGHT OF WAY EASEMENT.

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

Aye: Commissioners Hosie, Jindra, Gilliland and Johnson.

Nay: None.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 2, 2006, cont.

Thereupon, the Mayor Pro Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1705 and was signed by the Mayor Pro Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1706
APPLICATION TO KANSAS DEPARTMENT OF
TRANSPORTATION - NIAGRA STREET**

APPROVED

Bev Mortimer, USD #333, presented a request for the City and School District to partner for KDOT grant funds for the Niagra Street Project. The grant application is due on August 25, 2006 with notification to the project recipients on October 1, 2006 and completion of the planning phase by April 1, 2007 and then submits the plan for phase 2. The program will fund up to \$250,000 on the project.

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

WHEREAS, A RESOLUTION DECLARING THE ELIGIBILITY OF THE CITY OF CONCORDIA TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR USE OF SAFE ROUTES TO SCHOOLS FUNDS SET FORTH BY SAFETEA-LU FOR THE NIAGRA STREET PROJECT IN CONCORDIA AND AUTHORIZING THE MAYOR TO SIGN THIS APPLICATION.

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

Aye: Commissioners Hosie, Jindra, Gilliland and Johnson.

Nay: None.

Thereupon, the Mayor Pro Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1706 and was signed by the Mayor Pro Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1707
NUISANCE ABATEMENT ASSESSMENT – 910 W 11TH**

APPROVED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF BLOCK 1 IN LOST CREEK HILL, IN THE ORIGINAL TOWN (910 W 11TH) WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$851.73.

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

Aye: Commissioners Hosie, Jindra, Gilliland and Johnson.

Nay: None.

Thereupon, the Mayor Pro Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1707 and was signed by the Mayor Pro Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1708
NUISANCE ABATEMENT ASSESSMENT – 214 E 13TH**

APPROVED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF W 22' OF LOT 5 AND ALL OF LOT 6, BLK. 61, IN THE ORIGINAL TOWN, (214 E 13TH) WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$160.48.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 2, 2006, cont.

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

Aye: Commissioners Hosie, Jindra, Gilliland and Johnson.

Nay: None.

Thereupon, the Mayor Pro Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1708 and was signed by the Mayor Pro Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1709
NUISANCE ABATEMENT ASSESSMENT – 112 W 11TH APPROVED**

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF LOT 4, BLOCK 81, IN THE ORIGINAL TOWN (112 W 11TH) WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$99.23.

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

Aye: Commissioners Hosie, Jindra, Gilliland and Johnson.

Nay: None.

Thereupon, the Mayor Pro Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1709 and was signed by the Mayor Pro Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1710
NUISANCE ABATEMENT – 414 E 2ND 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 6, BLOCK 183 SUBDIVISION CONCORDIA, ORIGINAL TOWN (414 E 2ND).

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

Aye: Commissioners Hosie, Jindra, Gilliland and Johnson.

Nay: None.

Thereupon, the Mayor Pro Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1710 and was signed by the Mayor Pro Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1711
NUISANCE ABATEMENT – 1112 E 7TH 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 LOTS 4 & E 2 OF LOT 5, BLOCK E FOSTER'S ADDITION CONCORDIA (1112 E 7TH).

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

Aye: Commissioners Hosie, Jindra, Gilliland and Johnson.

Nay: None.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 2, 2006, cont.

Thereupon, the Mayor Pro Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1711 and was signed by the Mayor Pro Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1712
NUISANCE ABATEMENT – 209 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 12, BLOCK 79 SUBDIVISION CONCORDIA, ORIGINAL TOWN (209 E 12TH).

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 Hosie, Jindra, Gilliland and Johnson.

Nay: None.

Thereupon, the Mayor Pro Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1712 and was signed by the Mayor Pro Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1713
MID KANSAS HOMES & MOVERS, LLC
DEVELOPMENT AGREEMENT**

APPROVED

Commissioner Johnson stated he felt the plan should be submitted to the Attorney General on the Shady Lake Redevelopment agreement. Commissioner Johnson moved to submit the Shady Lake Plan to the Attorney General. Motion Failed for a lack of a second.

Commissioner Johnson moved to submit the Mid-Kansas Homes & Movers, LLC Plan to the Attorney General. Motion Failed for a lack of a second.

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

WHEREAS THE GOVERNING BODY FINDS IT ADVISABLE TO ENCOURAGE THE CONSTRUCTION OF NEW COMMERCIAL FACILITIES AND HOUSING WITHIN THE COMMUNITY.

The Resolution was considered and discussed; and thereupon on motion of Commissioner Gilliland seconded by Commissioner Jindra. Commissioner Johnson stated the city commission should approve the changes to the contract not the city manager. Following discussion, the Resolution was adopted by the following roll call vote:

Aye: Commissioners Hosie, Jindra and Gilliland

Nay: Commissioner Johnson.

Thereupon, the Mayor Pro Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1713 and was signed by the Mayor Pro Tem and attested by the Clerk.

**MAYOR/COMMISSIONER
COMMENTS AND REPORTS**

Commissioner Johnson stated he would like information on agenda items in his packet so he may review it before the meeting.

Commissioner Johnson asked if the money from the lost account has been receipted in the general fund.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 2, 2006, cont.

City Manager Paine stated the account is not lost and no the money was not going to be receipted in the General Fund. City Manager Paine stated he had been doing budgets for thirty-three (33) years and one of the tactics that normally happens is if someone expends some money on a line item and it comes out of the budget again, again and again. City Manager Paine stated the \$11,000 was on that line item last year and he is not spending it again this year and it becomes an incremental creep on the budget. What his strategy is, is to take care of those items the police department needs and does not show up as an item against a particular part of their annual budget appropriation and therefore it will not show up again as a request in the following year and the year after that, so in that aspect he believes the decision he made and the direction he has given the police chief, protect the city's budget integrity much better.

Commissioner Johnson asked if all monies are to go to the general fund by state statute.

City Manager Paine stated the monies were pre - Burl Maley's time. This is a continuation of a budget problem. In this particular problem the direction he gave to the police chief with the consent of the prior commission, Commissioner Johnson was not on the commission at the time the process was discussed, was the way for it to be done.

Commissioner Johnson asked City Attorney Uri if the funds should go to the general fund by statue.

City Attorney Uri stated he did not have an answer but would look it up.

Commissioner Jindra asked for an update on the ethanol plant.

Kirk Lowell, CloudCorp, updated the commission on the ethanol plant.

STAFF COMMENTS

There were no staff comments.

Mayor Pro Tem Gilliland announced there would be a work session following the meeting.

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

Cheryl Lanoue
City Clerk

(Seal)

**AMENDED
MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 16, 2006**

The governing body met in regular session on August 16, 2006 at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hosie, Jindra, Johnson and Gilliland.

Absent: Commissioner Strecker.

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, Toby Nosker, Larry Eubanks, Pastor Cory Shipley, Ima Jean Chavey, Ron Deal, Steve Dailey, Renee Hubert, Darrell Kearns, Robert Burns, Eric Johnson, Melvin Kennedy, Gary Reynolds, Rex Gerard, Pat Gerard, Ted Collins, Lois Tracy, Richard Stutsman, Danny Parker, Troy Willoughby, Jeff Thoman, Don Dean, Tim Menard, Vicki Menard, Don & Cheryl Lanoue, Robin & Annette Hood, LaVern C. Robbins, Greg Hattan, John Hood, Marvin Copple, Larry Bergstrom and Kirk Lowell.

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

APPROPRIATION ORDINANCE NO. 15

APPROVED

Commissioner Hosie moved to approve Appropriation Ordinance No. 15. Commissioner Gilliland seconded. Motion carried.

PROCLAMATION –
NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH

Mayor Pro Tem Gilliland read a proclamation and declared September as National Alcohol and Drug Addiction Recovery Month.

PUBLIC COMMENTS

Bob Burns, a former city employee, was present to voice his concern over the termination of the City Clerk Cheryl Lanoue, who had worked for the city for seventeen years. Cheryl was highly skilled and had a good attitude about her job. She made personal sacrifices of family and time for her job. What happened to Cheryl is going to be a detriment to the city and the community. Bob said he had visited with Cheryl just a few days before she was fired and found out she had turned down an assistant manager's job in LaVista, Nebraska, making almost twice the money. Bob's question to the commission was if Cheryl Lanoue was so incompetent why would a city like LaVista, Nebraska see Cheryl as a person of value, of talent, the right attitude, having the right skills and the right education, because she is very educated. Bob stated that from his own experience this was not a performance problem but a personal problem. Someone has an axe to grind and the city can not run its departments with an axe to grind.

Ima Jean Chavey representing herself wanted to know what went wrong from the time that Cheryl Lanoue was acting city manager until now. Joe Strecker was one of the commissioners that was responsible for hiring Cheryl as acting city manager. The City of Concordia had a lot invested in Cheryl's training and schooling and now that investment is lost. Ima Jean said she wondered if it had anything to do with the funds from the police department that showed up on the June 30th quarterly report and how those funds were handled.

City Attorney Larry Uri stated that he had researched the police department money issue and found no state statute that says the money at the police department had to be put into the general fund. He also said he had visited with Doug Glenn who prepares the city audit and Doug told him that he did not know of any state statute requiring that money be put into the general fund. Larry stated it was a relatively small amount of money and it was spent on police department items.

Gary Reynolds addressed the commission with his concerns about medicine prescriptions under Medicare and how it affects the pharmacies. He felt the people should contact their congressmen and representatives about this issue.

**AMENDED
MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 16, 2006, contd.**

Mike Lamm was present and wanted to say that reducing the mill levy is a good thing and thanked the commission for doing so, he said it was a positive thing and the property owners like to see lower taxes.

PUBLIC HEARING – 2007 BUDGET

HELD

Mayor Pro Tem Gilliland opened the public hearing and thanked the city manager and department heads for all of their work on the 2007 budget. City Manager Larry Paine gave a power point presentation on the 2007 budget which gave an overview of how this budget was prepared and how it would meet the objectives of the city commission and staff.

Greg Hattan was present and had some questions and concerns with the new budget. Greg questioned how the money from the Police Department was handled and why we didn't follow the auditor's advice. Next Greg asked what steps were being taken to correct a very obvious shortfall in the water/sewer fund. It shows that the cash balance in this fund would be very low at the end of 2007. He didn't know if this was acceptable or was anybody concerned about this given the situation on water these days. Next Greg wanted to know how you could decrease the employee benefit fund by half when those costs keep going up. Greg's final question was why are we transferring money from the general fund to TIF. Also in regard to TIF, Greg said that the original concept of TIF was to improve infrastructure and it seems like now we are using it to develop the land for private business. He had concerns whether there would be enough funds available to do everything.

Phil Gilliland said that the current commission has shifted some of its focus from infrastructure improvements to land development but they felt like advancing economic development would increase property tax revenues.

Ima Jean Chavey stated she had attended all six budget study sessions and was disappointed in the commission. She felt the commissioners needed to participate more in the budget process, as a taxpayer she wanted her money to be looked at very closely. Ima Jean pointed out what she thought were errors in the budget. Larry Paine said he would recheck some of those figures and make any corrections if necessary. He also said he would be willing to set down with Ima Jean and go over any questions she had concerning the budget.

Richard Stutsman with the Fraternal Order of Police asked if the employees were getting a cost of living increase. Larry Paine stated that the city employees would be getting a three (3) percent cost of living increase. Mr. Stutsman asked if that was on the current salary and Larry Paine answered yes.

There being no further comments, Mayor Pro Tem Gilliland closed the public hearing.

ORDINANCE NO. 2006-2922 -
ADOPTION OF 2007 BUDGET

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, 2007, BE IT
ORDAINED BY THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS.

Thereupon, Commissioner Jindra moved that said Ordinance be passed. The motion was seconded by Commissioner Gilliland. 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:

Yea: Commissioners Hosie, Gilliland, Johnson and Jindra.

Nay: None.

Thereupon, the Mayor Pro Tem declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2006-2922 was signed and approved by the Mayor Pro Tem and attested by the Deputy Clerk.

REPORT FROM CAMPBELL & JOHNSON:
ENGINEERING AND INSPECTION SERVICES

ERIC JOHNSON

Eric Johnson representing Campbell & Johnson Engineering was present and gave information on all of their services from start to finish. He stated that they usually put more hours in than they get paid. At the previous commission meeting Commissioner Johnson had some questions concerning their services and how they were paid. Eric said they would be willing to provide them with anything that would help and their door was always open, "come over any time". Mr. Johnson stated he did not have a problem with their services but a detailed statement would help.

AMENDED
MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 16, 2006, contd.

ADOPT WELLHEAD PROTECTION PLAN

LARRY REMMENGA

Larry Remmenga, Director of Utilities, gave a presentation on a wellhead protection plan for the City. This plan would help protect the city's water supply. This plan would also have a backup water supply plan in the case of an emergency. Commissioner Hosie moved to adopt the wellhead protection plan. Commissioner Johnson seconded the motion. Motion carried.

AUTHORIZE SUBMISSION OF E911 GRANT

DANNY PARKER

Police Chief Danny Parker updated the commission on the grant being submitted for 911 enhancements. This grant is an extension of the grant submitted in 2005. \$73,000.00 is being requested for computer equipment for the new 911 system. Commissioner Gilliland moved to authorize the city manager to draft a document for the mayor to sign for the submission of the E911 Grant. Commissioner Jindra seconded motion. Motion carried.

MAYOR/COMMISSIONER
COMMENTS AND REPORTS

Commissioner Hosie thanked the city manager and department heads for all of their time spent preparing the 2007 budget.

Commissioner Johnson requested an Executive Session at the September 6, 2006 meeting to discuss Cheryl Lanoue's termination.

STAFF COMMENTS

City Manager Paine informed the commission that the state might bring back the Local Ad Valorem Tax Reduction. The League of Kansas Municipalities has been trying to get this reinstated. If this would happen cities could see some additional revenues.

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



Phil H. Deneault
Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 6, 2006

The governing body met in regular session on September 6, 2006, 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, Hosie, Jindra, Johnson and Gilliland.

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, Toby Nosker, Larry Eubanks, Danny Parker, Pastor John States, Ted Collins, Ron Copple, Marvin Copple, Cheryl & Donald Lanoue, Armand Balthazor, Larry Remmenga, Janet Eubanks, John F. Davis, Pat Gerard, Rex Gerard, Darrell Kearn, Steve Dailey and Ron Deal.

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

Commissioner Johnson moved to approve the minutes of the August 16, 2006, regular meeting with an amendment to Mayor/Commissioner Comments/Reports. Commissioner Johnson had requested there would be an Executive Session at the September 6, 2006 meeting to discuss Cheryl Lanoue's termination. Commissioner Hosie seconded the motion to approve the August 16th amended minutes. Motion carried.

Amended agenda by adding Executive Session for Attorney/Client Privilege requesting Larry Paine and Larry Uri to be present.

APPROPRIATION ORDINANCE NO. 16

APPROVED

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

PUBLIC COMMENTS

None.

VOTING DELEGATES TO 2006 LEAGUE CONFERENCE

Commissioner Hosie moved to appoint Commissioner Strecker and Commissioner Johnson as voting delegates to the 2006 League Conference. Commissioner Jindra seconded. Motion carried.

RESOLUTION NO. 2006-1714 –

NUISANCE ABATEMENT– 217 Kansas

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 10-12, BLK. 182, SUBDIVISION OF CONCORDIA, ORIGINAL TOWN (217 KANSAS).

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, Hosie, Johnson, Jindra and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1714 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1715

NUISANCE ABATEMENT– 313 E. 3rd

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 13-18, BLK. 182, SUBDIVISION OF CONCORDIA, ORIGINAL TOWN (313 E. 3RD).

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 6, 2006, cont'd.

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

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

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1715 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1716 –

NUISANCE ABATEMENT– 218 E. 11th

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 5, BLK. 79, SUBDIVISION CONCORDIA, ORIGINAL TOWN (218 E. 11TH).

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

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

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1716 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1717

NUISANCE ABATEMENT– 1102 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: S2 OF LOTS 1 & 2, BLK. 78, SUBDIVISION, ORIGINAL TOWN (1102 OLIVE).

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

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

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1717 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1718

NUISANCE ABATEMENT– 301 E. 1st

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 7-9, BLK. 201, SUBDIVISION CONCORDIA, ORIGINAL TOWN (301 E. 1ST).

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, Hosie, Johnson, Jindra and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1718 and was directed to be signed by the Mayor and attested by the City Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 6, 2006, cont'd.

RESOLUTION NO. 2006-1719

NUISANCE ABATEMENT- 1302 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 66' OF LOTS 1 & 2, BLK. 60, SUBDIVISION ORIGINAL TOWN (1302 OLIVE).

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, Hosie, Johnson, Jindra and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1719 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1720

NUISANCE ABATEMENT-236 W. 2nd

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, BLK. 178, SUBDIVISION, ORIGINAL TOWN CONCORDIA (236 W 2ND).

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

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

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1720 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1721

NUISANCE ABATEMENT- 1004 Republican

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 77' OF LOTS 1 & 2, BLK. 85, SUBDIVISION ORIGINAL TOWN CONCORDIA (1004 REPUBLICAN).

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

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

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1721 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1722

NUISANCE ABATEMENT- 330 W. 10th

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 7, BLK. 87, SUBDIVISION ORIGINAL TOWN CONCORDIA (330 W. 10TH).

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 6, 2006, cont'd.

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

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

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1722 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1723

NUISANCE ABATEMENT- 824 Cedar

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 28' OF S 88' OF LOT 23 & S 88' OF LOT 24, BLK., 110, SUBDIVISION ORIGINAL TOWN CONCORDIA (824 CEDAR).

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 Strecker, Hosie, Johnson, Jindra and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1723 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1724

NUISANCE ABATEMENT- 922 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: S 1/2 OF E 34' OF LOT 19 & S 1/2 OF LOT 20, BLK. 105 SUBDIVISION ORIGINAL TOWN CONCORDIA (922 WASHINGTON).

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, Hosie, Johnson, Jindra and Gilliland.

Nay: None.

Thereupon, the Resolution having been adopted by vote of the members of the City Commission it was given No. 2006-1724 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1725

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 LOT 16 BLOCK 178, IN THE CITY OF CONCORDIA (219 W. 3RD) WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$218.34.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1725 and was signed by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 6, 2006, cont'd.

RESOLUTION NO. 2006-1726
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 THE N 139' OF LOT 1 BLOCK 7, GAYLORD & MATTHEWS ADDITION IN THE CITY OF CONCORDIA (604 W. 6TH) WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$68.34.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1726 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2006-1727
NUISANCE ABATEMENT ASSESSMENT – 128 Strain Ave. **APPROVED**

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF LOTS 7, 8 & 9 BLOCK 1 IN THE CITY OF CONCORDIA (128 STRAIN AVE) WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$2791.68.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1727 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2006-1728
NUISANCE ABATEMENT ASSESSMENT – 416 W. 13th **APPROVED**

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF LOT 4 BLOCK 64, IN THE CITY OF CONCORDIA (416 W. 13TH) WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$174.18.

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 Hosie, Jindra, Strecker, Gilliland and Johnson.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1728 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2006-1729
EXTEND BLOCHLINGER LAND PURCHASE AGREEMENT **APPROVED**

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

WHEREAS, THE GOVERNING BODY FINDS THAT THE BEST INTERESTS OF THE CITY AND ALL OTHER INTERESTED PARTIES ARE SERVED BY THE APPROVAL OF A CONTRACT EXTENSION FOR THE PURPOSE OF ALLOWING TONY R. BLOCHLINGER AND JILL C. BLOCHLINGER AN ADDITIONAL 90 DAYS TO REMOVE THEIR PROPERTY FROM A CERTAIN TRACT OF REAL ESTATE RECENTLY ACQUIRED BY THE CITY.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 6, 2006, contd.

The Resolution was considered and discussed; and thereupon on motion of Commissioner Strecker seconded by Commissioner Hosie, with no more extensions per Commissioner Hosie, the Resolution was adopted by the following roll call vote:

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1729 and was signed by the Mayor and attested by the Clerk.

EXECUTIVE SESSION
ATTORNEY/CLIENT PRIVILEGE

HELD

At this time Commissioner Strecker moved that the commission recess into executive session for twenty (20) minutes to discuss attorney/client privileges. Commissioner Johnson seconded. Motion carried. Time: 5:50 p.m. Inviting: Larry Paine and Larry Uri.

The commission reconvened at 6:11 p.m.

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

MAYOR/COMMISSIONER
COMMENTS AND REPORTS

Commissioner Johnson asked why the city was advertising for a director of finance position instead of a city clerk position. The ordinance states the city will hire a city clerk and the director of finance duties will fall under that position. He felt the city manager was changing policy and that should be done by the commission. City Manager Paine stated that in the context of the staffing of the organization, it was his discretion to put the organization together the best way to serve the community. When that is in place the commission can change that ordinance. Mr. Johnson asked how do we go about picking and choosing which ordinances we use. In this particular case the city manager stated that this organization and how it is put together is his responsibility. Once the recommendations are in place the commission will be asked to change the ordinance. What is important is that he presents to the commissioners an organization that outlines the organization the way he feels it should be put together with the staff that we have available. Mr. Paine said that in this particular case the position of city clerk would be offered to someone internally and they would find someone externally to fill the position of finance director. Mr. Johnson asked the city manager if he makes policy. Larry Paine said he makes recommendations to the commission about policy and the commission approves them. Mr. Johnson said that this was not discussed with him and felt things were being done backward. Mayor Strecker said the city manager had called him and talked to him about this and had no problem with hiring a finance director. Mr. Johnson asked "do we abide by our own ordinances?" Mr. Paine stated that yes we do but in his opinion what the city needs is a finance director. The city clerk position would be filled internally. Commissioner Johnson stated he did not agree with the city manager and made a motion to do what the ordinance says and that is to advertise for a city clerk.

Commissioner Hoise asked Commissioner Johnson if he would consider a motion to get together and discuss this issue and get back with the city manager. Mr. Johnson stated the position had already been advertised and asked Larry Uri, the City Attorney for a legal opinion. Mr. Uri had no opinion and Commissioner Johnson again made a motion to readvertise for a city clerk. No second was given and the motion failed. In closing Mr. Johnson stated this all goes back to what he had been discussing, the commission is not involved in the decision making, they are only asked to approve.

Commissioner Johnson addressed the city manager with the question of why we are hiring CBIZ as a consultant to help in the decision making process of selecting the right health insurance for the city employees. He felt the city manager should be doing that. Mr. Paine stated there are a lot of technical issues involved in putting together an insurance analysis, and it would be in the city's best interest to hire someone with that expertise. Mr. Johnson felt like the city employees should be involved. Mr. Paine said when all the alternatives are put together they would get with all the departments and discuss their options, at the current time he does not know what those options are. Commissioner Gilliland commented the city employees would be involved in the decision making process but they also have to understand the cost of the city's health insurance keeps going up and we need to look at alternatives to bring those costs down. Currently we are spending over a thousand dollars a month for each employee and we need to decide if we are getting the best bang for our buck. Is it the city manager's responsibility to research this? Mr. Gilliland said there are so many things involved in trying to decide on the proper insurance that it would be wise for the city to hire a consultant, someone with some expertise to put together an analysis. We are looking at a significant amount of money and the money being spent on the analysis is justified. Mayor Strecker agreed with Mr. Gilliland. Being in business for himself he knows what it is like trying to keep good insurance for his employees. Mr. Johnson asked how much we were paying CBIZ. The city manager stated that we would be paying them \$1,000.00 a month for 12 months.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 6, 2006, cont'd.

Commissioner Gilliland commented in the minutes of the last public hearing he had made a statement in regard to the commission's shift of focus in the use of TIF funds from infrastructure to economic development to increase property tax revenues. He wanted to clarify that this statement is true but it was said in the context, and that's not all of it. Economic development is very important, it's the backbone of the community. It creates jobs, encourages livability for the residents of the community, provides diversity for the businesses so that you don't have to travel out of town. Obviously it does expand the tax base, not just the property tax base and it increases sales tax, revenues and other sources of revenue for the city, and it reduces our reliance on property tax. It is not just to increase property tax revenues, it is to expand the tax base, create jobs, improve livability, and create new businesses. The TIF tool is a good tool, it allows the city to improve infrastructure, eliminates blight and promotes economic development. It saves us from having to go out and tax the community as a whole in order to provide infrastructure and economic development. There is a lot of misinformation about TIF. It's not a give away but a tool to improve and advance the city without taxing the entire tax base. If you look at the downtown district and Highway 81 you can see TIF at work.

STAFF COMMENTS

The city manager wanted to inform the commission that a lot of the downtown improvement projects where the city partnered with Citizens National Bank would be done by Fall Fest. A lot of these businesses had made a significant difference in the appearance of their buildings. He wanted to point out these folks for their commitment to improve the quality of what the community looks like. It makes a good statement about the district. Since WalMart has come to Concordia we have focused on the improvement of the downtown district. The downtown business owners need to be applauded for their efforts in accomplishing this, for their commitment.

Commissioner Johnson said he had heard a lot of good comments about the street patching being done, and wanted to pass it on and thank the street dept. for its work on the streets. Mr. Paine said that they wanted to get a lot of the streets sealed but it would probably have to wait until next year when they can secure bids.

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



Phil H. Deneault
Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 20, 2006

The governing body met in regular session on September 20, 2006, 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, Hosie, Johnson and Gilliland.

Absent: Commissioner Jindra.

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, Toby Nosker, Ted Collins, Leah Lowell, Corinna Hood, Pat Gerard, Rex Gerard, Danny Parker, Pastor John States, Susie Haver, Roberta Lowery, Ron Deal, Marvin Copple, Ron Copple, Larry Remmenga, Kirk Lowell, Cheryl & Don Lanoue.

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

Commissioner Gilliland moved to approve the minutes of the September 6, 2006, regular meeting. Commissioner Strecker seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 17

APPROVED

Commissioner Strecker moved to approve Appropriation Ordinance No. 17. Commissioner Gilliland seconded. Motion carried.

PUBLIC COMMENTS

There were no public comments.

KANSAS SAMPLER FEST

Roberta Lowery and Susie Haver were present to give a presentation on the Kansas Sampler Fest and asked the commission for their support in having Concordia be a site for this event. A letter of approval by the commission would be sent in with the application to have Concordia host the Sampler Festival in 2008 and 2009. The festival would have many positive effects on the community and give us the ability to promote our community. They also stated it would give the people a chance to learn about Kansas and have fun while doing it.

ORDINANCE NO. 2006-2923 - STANDARD TRAFFIC ORDINANCE

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS; INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 2006, WITH CERTAIN OMISSIONS, AMENDMENTS, AND ADDITIONAL PROVISIONS;

Thereupon, Commissioner Hosie 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 Hosie, Johnson, Strecker and Gilliland.

Nay: None.

Thereupon, the Ordinance having been received by at least two-thirds (2/3rds) majority vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2006-2923 and was signed by the Mayor and attested by the clerk.

ORDINANCE NO. 2006-2924 - UNIFORM PUBLIC OFFENSE CODE

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS; INCORPORATING BY REFERENCE THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, EDITION OF 2006, WITH CERTAIN OMISSIONS, AMENDMENTS AND ADDITIONAL PROVISIONS; PROVIDING CERTAIN PENALTIES; REPEALING EXISTING SECTION 14-1 OF THE CONCORDIA CODE; AND AMENDING THE CONCORDIA CODE, BY ADDING A SECTION NUMBERED 14-1.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 20, 2006, contd.

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 Hosie, Johnson, Gilliland and Strecker.

Nay: None.

Thereupon, the Ordinance having been received by at least two-thirds (2/3rds) majority vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2006-2924 and was signed by the Mayor and attested by the clerk.

**MAYOR/COMMISSIONER
COMMENTS AND REPORTS**

Commissioner Hosie thanked the Cloud County Tourism Committee for their initiative to bring the Sampler Fest to Concordia. Mr. Hoise also wanted to say that the work done on Strain Ave. really made a difference in the way it looked. It has greatly improved the appearance of that area.

Commissioner Strecker said he agreed with Commissioner Hosie's comments about the Sampler Fest coming to Concordia and he also wanted to thank those involved for their efforts to bring it here.

Commissioner Gilliland also said the Sampler Fest was a good thing and thanked those involved. Commissioner Gilliland also stated that having the opportunity to have an ethanol plant in this community is exciting and a positive thing for this area. He thanked Cloud Corp for their efforts and said it was a step in the right direction.

Commissioner Johnson wanted to know if we were handling donations for the computer crime fund in accordance with the audit management letter. Were we using numbered receipts? Are we getting any contributions from the public? City Manager Paine stated that we are using numbered receipts. Deputy Clerk Deneault stated that the city had received a few donations and they are being receipted.

STAFF COMMENTS

Larry Paine updated the commission in regard to the employee health insurance; he stated the information had been given to CBIZ so they could get started on the analysis. The city manager also told the commission that Frank Mercurio would be available at the next work session to update the commission on the progress of the flood control project and answer any questions. Mr. Paine wanted to let the commissioners know that Bob Bauman is finished with his treatment and would be returning over the weekend. The last thing Mr. Paine discussed with the commission was in regard to the downtown renovation projects. He said there had been some interest as to whether this opportunity would be available again and that if they wanted it, could be discussed at the study session.

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

Phil H. Deneault
Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 4, 2006

The governing body met in regular session on October 4, 2006, 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, Hosie, Johnson, Jindra and Gilliland.

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: Larry Eubanks, Larry Remmenga, Danny Parker, Dana Cook, Janet Willis, Dr. Richard Underbakke, Ticia Malcut, Darlene Thimmes, Chelsey Stewart, Darrell Kearn, Bob Baumann, Ron Copple, Pat Gerard, Rex Gerard, Annette Gallagher, Dustin Gallagher, Mike Gallagher, Ted Collins, Ron Deal, Kirk Lowell, Jack Gould, Bob Burns, Ashley Meats, Laura Hansen, Steve Daily, Marvin Copple, Cheryl & Don Lanoue, Charlotte Doyen, Paul Justyna, John Luongo, Tim Halfhide, Jim Stromberg, Dennis Blochlinger, Gary Strait, Jessica LeDuc, Bob Burns and Toby Nosker.

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

Commissioner Gilliland moved to approve the minutes of the September 20, 2006, regular meeting. Commissioner Strecker seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 18

APPROVED

Commissioner Hosie moved to approve Appropriation Ordinance No. 18. Commissioner Gilliland seconded. Motion carried.

PUBLIC COMMENTS

Dr. Richard Underbakke, Cloud County Community College president was present to request a letter of support from the City Commission. The letter of support would be used by the college in the application process to obtain a wind turbine for the college. The application is due by February 2007. Commissioner Jindra made a motion to give a letter of support to the college. Commissioner Gilliland seconded. Motion carried.

Ticia Malcut and Darlene Thimmes addressed the commission asking for support and direction in regard to a recreation center. They felt Club 81 does not have the facilities to provide the teenagers with what they want to do. They also felt there should be an enforceable curfew so the teenagers couldn't just be out all night without supervision. Commissioner Gilliland stated that all of us are concerned and the challenge is what to do about it. He was in favor of doing whatever they could but the problem runs deeper than just providing another recreational center. There is already a recreational center and skateboard park at the city park and some of the kids end up going somewhere else. It's something we have to work on, but it is a societal issue. More rules and curfews only punish those who are not in trouble or abusing the system. Spending more money and building more facilities is not necessarily going to help the problem. We can look at utilizing the police department and recreation department as a way to help out. Until the parents get involved and know where their kids are, you are going to have a hard time solving this problem. The commission will be supportive any way they can be but building more facilities for the kids who may or may not use them is not going to solve the problem.

Rex Gerard asked if the flood control project study session was open to the public. City Manager Paine stated that the meeting was open to the public.

Annette Gallagher addressed the commission in regard to the curfew and other issues. She did not feel imposing a curfew was necessary and building more facilities is not going to change anything. The city did not need to take on the job of being a parent. It would be better if things were just left alone. There is only so much you can do and more rules and regulations will not help.

PUBLIC WORKS VEHICLE BIDS

Ron Copple, Director of Public Works, advised the commission the city did not receive any bids for a pickup truck for the Public Works Department. Mr. Copple will send request for bid letters out again in the next month.

ACCET BID FOR PUBLIC WORKS
SALT STORAGE BUILDING

STUPKA CONSTRUCTION

Ron Copple, Director of Public Works, advised the commission the city received two qualified proposals from local bidders for this project, with the bids as follows:

Stupka Construction	\$ 93,000.00
Budreau Construction	\$ 110,500.00

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 4, 2006, contd.

Following discussion, Commissioner Strecker moved to accept the low bid from Stupka Construction for the salt storage building in the amount of \$93,000.00. Commissioner Hosie seconded. Motion carried.

ORDINANCE NO. 2006-2925 – POLICE DOG ORDINANCE

PASSED

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE PROHIBITING THE ABUSE OF OR INTERFERENCE WITH POLICE DOGS; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 14-7.

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

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

Nay: None.

Thereupon, the Ordinance having been received by at least two-thirds (2/3rds) majority vote of the members of the governing body, the Mayor declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2006-2925 and was signed by the Mayor and attested by the clerk.

MAYOR/COMMISSIONER
COMMENTS AND REPORTS

Commissioner Johnson asked how the police dog was purchased, where did the funds come from? City Manager Paine stated that it was paid for with funds from the police department. Mr. Johnson asked if those funds were in the 2007 budget or the 2006 budget. Mr. Paine stated that they were in the 2007 budget. They did not know about them when the 2006 budget was prepared, but there was a list of things presented to the commission prior to him coming on board. This list included the new police dog. Mr. Johnson asked if there was any money left at the police department. Mr. Paine said he thought there was \$4,000.00 to \$6,000.00 left out of \$11,000.00. Commissioner Johnson asked if they were going to get a report each month on how the money was being spent at the police department. Commissioner Gilliland stated he had a list if Charles needed to see one. The city manager stated he would start providing information each month on how the money was being spent.

Another item Commissioner Johnson inquired about was the sewer system the city would be installing to service the new veterinary clinic. He asked if the city could prepare their own set of figures on the costs of materials for the sewer system and the impact of BOD's on that system. This would be used as a comparison to the engineer's estimate.

Commissioner Jindra said he had heard there was still interest in the downtown improvement projects. He would like to see the commission discuss this issue at a future meeting or study session. With the Sampler Fest coming to Concordia he would like to see any unused funds carried over into the next year and possibly adding to those funds for downtown improvement.

STAFF COMMENTS

City Manager Paine wanted to inform the commission that Bruno Rehbein had completed the requirements for flood plain management. The city has received a letter stating that Bruno has passed the FEMA test and is now a certified flood plain manager.

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

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



Phil H. Deneault
Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 18, 2006

The governing body met in regular session on October 18, 2006, 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, Johnson, Jindra and Gilliland.

Absent: Commissioner Strecker.

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

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

Visitors: Jessica LeDuc, Toby Nosker, Sarah Cibolski, Ron Deal, Kirk Lowell, Larry Remmenga, Arlene Clayton, Blake Erkenbrack, Jake Hoesli, Bruno Rehbein, Rex Gerard, Pat Gerard, Michelle Johnson, Frank Mercurio, Larry Eubanks, Don & Cheryl Lanoue, and Joe Gerard.

Commissioner Jindra moved to approve the minutes of the October 4, 2006, regular meeting. Commissioner Johnson seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 19

APPROVED

Commissioner Hosie moved to approve Appropriation Ordinance No. 19. Commissioner Jindra seconded. Motion carried.

PLANNING COMMISSION APPOINTMENTS

LADONNA PELTIER & PATRICK COSSEL

Bruno Rehbein advised the commission the terms of LaDonna Peltier and Patrick Cossel on the Planning Commission will expire on 11-1-06. Both individuals were contacted and indicated a willingness to serve another term on the Planning Commission. Commissioner Hosie moved to reappoint LaDonna Peltier and Patrick Cossel to another three (3) year term for each on the Planning Commission, with their terms ending November 1, 2009. Commissioner Johnson seconded. Motion carried.

PUBLIC COMMENTS

Arlene Clayton addressed the commission with concerns about the proposed ethanol plant. She felt it might cause a problem by putting more carbon dioxide into the atmosphere.

CELL PHONE POLICY

Larry Paine discussed with the commission the updating of the City's cell phone policy to meet IRS regulations.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Hosie thanked Larry Eubanks for putting together a trip to visit the ethanol plant in Nebraska. A lot of information was gathered by doing this. He also thanked the college for the use of their vans to make the trip.

Commissioner Gilliland acknowledged the high school students at the meeting and said it was great they could attend as part of their schooling.

STAFF COMMENTS

Larry Paine informed the commission there would be an awards presentation for the grant the fire department received for summer bunker gear and equipment. IMA and the Fireman's Fund insurance would be presenting the grant and a barbecue would follow the presentation.

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


Phil H. Deneault
Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 1, 2006

The governing body met in regular session on November 1, 2006, 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, Johnson, Jindra and Gilliland.

Absent: Commissioner Strecker.

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, Toby Nosker, Danny Parker, Ron Copple, Ted Collins, Larry Eubanks, Margo Hosie, Larry Remmenga, Jack Gould, Marvin Copple, J.T. Klaus, Ron Deal, Kirk Lowell, and Cheryl & Don Lanoue.

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

Commissioner Jindra moved to approve the minutes of the October 18, 2006, regular meeting, with the following amendment: Commissioner Jindra made the motion and Commissioner Gilliland seconded, the motion carried to change the city's cell phone policy in the personnel handbook Section 15.5D. Personal use of City provided cell phones is prohibited. The use of all city cell phones would be restricted to official city business. Commissioner Gilliland seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 20

APPROVED

Commissioner Gilliland moved to approve Appropriation Ordinance No. 20. Commissioner Jindra seconded. Motion carried.

PUBLIC COMMENTS

There were no public comments.

EMPLOYEE SERVICE AWARDS

JIM METRO, CHARLES NONDORF

Commissioner Gilliland acknowledged two city employees were eligible for 10 year service awards. Jim Metro with Public Works and Charles Nondorf with the Fire Department. Charles Nondorf was present to receive his 10 year service award.

DISCUSSION OF DOWNTOWN IMPROVEMENT PROJECTS

City Manager Paine presented information to the commissioners about continuing the downtown improvement project. The project was initially started to improve the appearance of the downtown area tying it to the new theater that was being built, with those projects being completed before Fall Fest. If the city was going to offer this again, the commission would give direction as to what they wanted to do, if they would like to have this put into the 2007 budget. On those projects that have been completed the city has spent \$38,000-\$40,000 dollars. The impact of these projects has been very good and the city manager recommended that by using CIP funds the city could offer this program again. With the Kansas Sampler Fest coming to Concordia, Commissioner Jindra was in favor of offering the program again. Commissioner Gilliland stated he would abstain from any discussion or voting because of the banks' involvement, it would not be appropriate. Commissioner Hosie stated that if the city considered doing this again in 2007 there are a few things that might be included in the agreements. One thing would be a completion date; another thing would be if they decide not to do the project after being accepted, that they let us know so that someone else can be considered. Also he wondered if maybe the program should be expanded to include 5th Street and 7th Street in the downtown area or side streets. Commissioner Johnson asked if there was any way we could encourage other businessmen downtown to fix up their store fronts. He felt like it ruined the total effect when some of the store fronts are not being fixed up. Larry Paine stated that we can only hope that those owners who haven't fixed up their store fronts will want to after seeing others being improved. Commissioner Jindra moved to authorize the city manager to set up a project for 2007 for downtown improvement grants. Commissioner Johnson seconded. Motion carried. Commissioner Gilliland abstained from voting.

RESOLUTION NO. 2006-1730 NIMS

PASSED

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

A RESOLUTION ESTABLISHING THE NATIONAL INCIDENT MANAGEMENT SYSTEMS KNOWN AS NIMS AS THE INCIDENT SYSTEM TO BE USED FOR PLANNING, RESPONDING, RECOVERY AND MITIGATING FROM BOTH NATURAL AND MANMADE DISASTERS WITHIN THE CITY.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 1, 2006, cont'd

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

Thereupon, the Resolution, having been adopted by a majority vote of the members present, it was given No. 2006-1730, and was directed to be signed by the Mayor and attested by the Deputy City Clerk.

RESOLUTION NO. 2006-1731

PASSED

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

A RESOLUTION INDICATING THE INTENT OF THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS, TO ISSUE CERTAIN TAXABLE INDUSTRIAL REFUNDING REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED SEVEN HUNDRED EIGHTY THOUSAND DOLLARS (\$780,000) FOR THE PURPOSE OF REFUNDING AND REDEEMING ITS OUTSTANDING TAXABLE INDUSTRIAL REVENUE BONDS, SERIES A, 2002 (MT. JOSEPH SENIOR VILLAGE, LLC).

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

Thereupon, the Resolution, having been adopted by a majority vote of the members present, it was given No. 2006-1731, and was directed to be signed by the Mayor and attested by the Deputy City Clerk.

MAYOR/COMMISSIONER
COMMENTS AND REPORTS

Commissioner Hosie commented that in a recent editorial there was some concern about additional traffic especially large trucks going by the middle school if the ethanol plant was built. It could be a safety problem. It might be helpful to have any additional information in regard to this and maybe studies that state has done could be brought back and looked at.

Mr. Paine said that recently the city had met with K-DOT and one of the things that was thrown onto the table was a proposal for a bypass.

Commissioner Johnson asked if there was any ordinance dealing with skate boarders on main street. If not then maybe we need to draft an ordinance that deals with skateboard use on main street. Mr. Johnson also asked if there has been any progress finding a city clerk or finance officer. The City Manager stated that the first round of finance director applications received was not being considered. They would be readvertising and currently Phil Deneault was acting City Clerk. Mr. Johnson felt that it was a conflict if Phil Deneault was City Clerk and Treasurer.

Larry Paine brought the commission up to date on some of the things going on currently within the organization. He said the Police Department drug dog was now certified. The Fire Department had received a grant for new turn out gear and equipment and was in the process of ordering that equipment. There would be a resolution at the November 15, 2006 meeting to approve expending the grant money on the new equipment and turn out gear. Stupka Construction has begun work on the Salt Storage facility.

Larry Remmenga stated he had gone to Topeka and visited with the Chief Engineer with the water resources department to find out what we can do and can't do with the use of waste water for the ethanol plant. He said Topeka was very receptive to the idea and things are moving along satisfactorily. They are very satisfied with how we are doing things. The commission asked Larry how the 11th Street project was going. Larry said the project is going very well and they are doing a good job.

STAFF COMMENTS

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

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



Phil H. Deneault
Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 15, 2006

The governing body met in regular session on November 15, 2006, 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, Hosie, Johnson, and Gilliland.

Absent: Commissioner Jindra.

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, Toby Nosker, Danny Parker, Ron Copple, Ted Collins, Larry Eubanks, Larry Remmenga, Marvin Copple, Ron Deal, Kirk Lowell, and Don & Cheryl Lanoue, Arlene Clayton, Emily Fonken and Janet Eubanks.

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

Commissioner Hosie moved to bring November 1, 2006 minutes back to the December 6, 2006 meeting with the correct resolution numbers. Commissioner Strecker seconded.

APPROPRIATION ORDINANCE NO. 21

APPROVED

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

PUBLIC COMMENTS

Arlene Clayton was present to talk about several topics in regard to wind energy in Kansas.

KLA 21st STREET DAM PROJECT

KLA

City Manager Larry Paine addressed the commission with information regarding the 21st Street Dam project. The preliminary work would be divided into two phases. Phase one would be the survey work and phase two would be the geotechnical work. Work would begin almost immediately with the approval of the contracts for phase one and phase two. With the completion of phase one and two the city could look at beginning construction of the project. Commissioner Johnson asked if there was anything in the contracts that would release the contractors from liability, since the contract did not state who would be liable for different aspects of the project. He asked who was going to oversee all phases of the project, who would be the general contractor? City Attorney Uri stated that the contracts do not state that they are not liable for their own work but the work of others who are working on the project.

Commissioner Hosie made a motion to authorize City Manager Paine to sign the contracts to initiate Phase I and II of the 21st Street flood project with KLA. Commissioner Gilliland seconded. Motion carried.

RESOLUTION NO. 2006-1732 FIREMAN'S FUND

PASSED

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

WHEREAS, THE CITY HAS BEEN SELECTED AS THE RECIPIENT OF A GRANT IN THE AMOUNT OF \$20,000.00 FROM FIREMAN'S FUND INSURANCE COMPANY FOR THE PURCHASE OF EXTRACTION TURNOUT GEAR; AND WHEREAS, THE GOVERNING BODY FINDS IT ADVISABLE THAT THE GRANT SHOULD BE ACCEPTED AND EXPENDED FOR THE PURPOSES INTENDED.

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

Thereupon, the Resolution, having been adopted by a majority vote of the members present, it was given No. 2006-1732, and was directed to be signed by the Mayor and attested by the Deputy City Clerk.

MAYOR/COMMISSIONER COMMENTS

Commissioner Johnson asked if anybody from the city has gone to Salina to attend the Regional Planning Meeting with the Kansas Department of Transportation. Larry Paine said he knew the meeting had been scheduled but chose not to go since we had already stated our intention and he had work to do at the office. Mr. Johnson felt somebody should have gone so we would know if they were considering a bypass. Mr. Paine stated the city's interest in a bypass had been submitted to K-DOT.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 15, 2006, cont'd

Mr. Johnson also asked who the personnel director for the city was currently. The personnel manual states that the city has a personnel director. Mr. Paine stated that he was currently filling that position. Charles then asked if there was police policy handbook and could he get a copy? Charles also asked if he could get a copy of the Standard Traffic Ordinance. He then asked what the differences were on the balance sheet. The City Manager stated that it had to do with the encumbrances. Mr. Johnson felt the report should show the encumbered cash balance. Commissioner Johnson asked if he could get a copy of the detailed revenue & expense report each month.

Mayor Strecker asked what the status was on the 11th Street water line project. Director of Utilities Larry Remmenga said they were close to being done, maybe in another week.

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



Phil H. Deneault
Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 6, 2006

The governing body met in regular session on December 6, 2006, at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Hosie, Jindra, Johnson, and Gilliland.

Absent: Commissioner Strecker

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, Toby Nosker, Danny Parker, Mary Carson, Kirk Lowell, Ron Deal, Larry Eubanks, John States, Ron Copple, Marvin Copple and Don & Cheryl Lanoue.

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

Commissioner Jindra moved to approve the minutes of the November 1, 2006, regular meeting as written. Commissioner Hosie seconded. Motion carried.

Commissioner Johnson moved to approve the minutes of the November 15, 2006, regular meeting as written. Commissioner Hosie seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 22

APPROVED

Commissioner Jindra moved to approve Appropriation Ordinance No. 22. Commissioner Hosie seconded. Motion carried.

HOUSING AUTHORITY – APPOINTMENTS

KIM WIESNER

City Manager Paine stated Kim Wiesner has indicated a willingness to be reappointed to the Housing Authority. Commissioner Hosie moved to reappoint Kim Wiesner to a four (4) year term from 1-1-07 to 12-31-10. Commissioner Gilliland seconded. Motion carried.

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARING – CURB AND GUTTER BLOCHLINGER/COLLINS

HELD

Mayor Pro-Tem Gilliland opened the public hearing for the curb & gutter projects. Mayor Pro-Tem Gilliland announced that this was a hearing on proposed assessments for the following improvements:

Curb and gutter replacement at the following locations: 1015 State and 523 W. 6th

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 Pro-Tem Gilliland closed the public hearing.

ORDINANCE NO. 2006 – 2926
2006 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 FOR THE COST.

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

Nay: None.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 6, 2006, contd.

Thereupon, the Mayor Pro-Tem declared said Ordinance duly adopted and the Ordinance was then duly numbered Ordinance No. 2006-2926 and was signed by the Mayor Pro-Tem and attested by the Clerk.

AFFIRMATION OF EXEMPT PROPERTY STATUS FOR IRB CERTIFICATIONS

City Manager Paine stated the commission is required each year to affirm the tax exempt status for the businesses that have used Industrial Revenue Bonds to insure the use of the property and other criteria of the business continue to exist. Commissioner Gilliland moved to affirm the Industrial Revenue Bond Certification on F & A Food Sales, Inc. Commissioner Jindra seconded. Motion carried. Commissioner Jindra moved to affirm the Industrial Revenue Bond Certification on Marquis Place. Commissioner Hosie seconded. Motion carried. Commissioner Johnson moved to affirm the Industrial Revenue Bond Certification on Mt. Joseph Senior Village. Commissioner Gilliland seconded. Motion carried.

ACCEPT VEHICLE BID PUBLIC WORKS

WOMACK SUNSHINE FORD

Ron Copple, Director of Public Works advised the commission the city solicited bids for a new pickup for the public works department. The vehicle bids were presented to the commission.

**TABULATION SHEET
½ TON PICKUP
PUBLIC WORKS DEPARTMENT**

**DATE: 11-14-06
TIME: 3:00 P.M.**

<u>BIDDER</u>	<u>VEHICLE</u>	<u>PRICE</u>
Babe Houser Motor Co. Delivery Date: Est. 30 days	2007 ½ Ton Chevrolet (Per Specifications)	\$17,100.00
	Less Trade-in 1989 ½ Ton Chevrolet	- <u>1,000.00</u>
	TOTAL COST TO CITY	\$16,100.00
<hr/>		
Stenberg Motor Co. Delivery Date: 6-8 Weeks	2007 ½ Ton Chevrolet (Per Specifications)	\$22,640.00
	Less Trade-in 1989 ½ Ton Chevrolet	- <u>6,724.00</u>
	TOTAL COST TO CITY	\$15,916.00
<hr/>		
Womack Sunshine Ford Delivery Date: 6-8 Weeks	2007 ½ Ton Ford F150 (Per Specifications)	\$13,500.00
	Less Trade-in 1989 ½ Ton Chevrolet	- <u>500.00</u>
	TOTAL COST TO CITY	\$13,000.00

Following discussion, Commissioner Jindra moved to accept the low bid for the F150 from Womack Sunshine Ford in the amount of \$13,000.00 with trade for Public Works vehicle. Commissioner Gilliland seconded. Motion carried.

DESIGNATION OF OFFICIAL DEPOSITORIES

APPROVED

Commissioner Hosie moved to authorize The Citizens National Bank, Central National Bank, United Bank and Peoples Exchange Bank the official depositories for 2007. Commissioner Johnson seconded. Motion carried.

**ORDINANCE NO. 2006-2927
AUTHORIZING THE ISSUANCE OF
IRB'S – MOUNT JOSEPH SENIOR VILLAGE**

APPROVED

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

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 6, 2006, contd.

AN ORDINANCE AUTHORIZING THE CITY OF CONCORDIA, KANSAS TO ISSUE ITS TAXABLE INDUSTRIAL REFUNDING REVENUE BONDS, SERIES 2006 (MT. JOSEPH SENIOR VILLAGE, LLC), IN THE AGGREGATE PRINCIPAL AMOUNT OF \$775,000 FOR THE PURPOSES OF (1) REFUNDING AND REDEEMING CERTAIN OUTSTANDING TAXABLE INDUSTRIAL REVENUE BONDS AND (2) PAYING CERTAIN COSTS OF ISSUANCE; AUTHORIZING THE EXECUTION OF A TRUST INDENTURE BY AND BETWEEN THE CITY AND SECURITY BANK OF KANSAS CITY, IN THE CITY OF KANSAS CITY, KANSAS, AS TRUSTEE, AUTHORIZING THE CITY TO LEASE THE PROJECT TO MT. JOSEPH SENIOR VILLAGE, LLC; AUTHORIZING EXECUTION OF A LEASE BETWEEN THE CITY AND MT. JOSEPH SENIOR VILLAGE, LLC; APPROVING THE FORM OF A GUARANTY AGREEMENT; APPROVING THE FORM OF AN INDIVIDUAL GUARANTY AGREEMENT BETWEEN BRIAN S. WARREN, KATHLEEN M. WARREN, PHILIP B. BROOKS AND CYNDI E. BROOKS, AND SECURITY BANK OF KANSAS CITY, KANSAS CITY, KANSAS, AS TRUSTEE; AND AUTHORIZING THE EXECUTION OF A BOND PLACEMENT AGREEMENT BY AND BETWEEN THE CITY, MT. JOSEPH SENIOR VILLAGE, LLC AND VALLEY STATE BANK, ROELAND PARK, KANSAS, AS PURCHASER OF THE SERIES 2006 BONDS.

After discussion, upon motion by Commissioner Hosie, seconded by Commissioner Gilliland, each section of the Ordinance was passed by a majority of the members of the governing body.

A majority of the members having voted in favor of the passage of said Ordinance, it was designated Ordinance No. 2006-2927 and was ordered to be executed by the Mayor and by the City Clerk, and the City Clerk was directed to publish the Ordinance one time in the official city newspaper as required by laws and provided therein.

**RESOLUTION NO. 2006-1733 – NUISANCE ABATEMENT
ASSESSMENT - J. MAHMOOD-214 E 13TH PASSED**

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF W 22' OF LOT 5 AND ALL OF LOT 6, BLK. 61 IN THE ORIGINAL TOWN, 214 E. 13TH, WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$279.59.

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 Gilliland, Jindra, Hosie and Johnson.

NAY: None.

Thereupon, the Mayor Pro-Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1733 and was signed by the Mayor Pro-Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1734 – NUISANCE ABATEMENT
ASSESSMENT - M. CORDOVA – 313 E. 3RD PASSED**

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF LTOS 13-18, BLK. 182, SUBDIVISION OF CONCORDIA, ORIGINAL TOWN, 313 E. 3RD, WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$483.34.

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

AYE: Commissioners Gilliland, Jindra, Hosie and Johnson.

NAY: None.

Thereupon, the Mayor Pro-Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1734 and was signed by the Mayor Pro-Tem and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 6, 2006, contd.

**RESOLUTION NO. 2006-1735 – NUISANCE ABATEMENT
ASSESSMENT - M. CORDOVA – 217 KANSAS**

PASSED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF LOTS 10-12, BLK. 182, SUBDIVISION OF CONCORDIA, ORIGINAL TOWN, 217 KANSAS, WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$587.50.

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

AYE: Commissioners Gilliland, Jindra, Hosie and Johnson.

NAY: None.

Thereupon, the Mayor Pro-Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1735 and was signed by the Mayor Pro-Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1736 – NUISANCE ABATEMENT
ASSESSMENT - G. BROWN – 218 E. 11TH**

PASSED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF LOT 5, BLK. 79, SUBDIVISION OF CONCORDIA, ORIGINAL TOWN, 218 E. 11TH, WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$610.84.

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 Gilliland, Jindra, Hosie and Johnson.

NAY: None.

Thereupon, the Mayor Pro-Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1736 and was signed by the Mayor Pro-Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1737 – NUISANCE ABATEMENT
ASSESSMENT - C. HATFIELD - 1006 REPUBLICAN**

PASSED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF N. 77' OF LOTS 1 & 2, BLK. 85, SUBDIVISION OF CONCORDIA, ORIGINAL TOWN, 1006 REPUBLICAN, WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$155.84.

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

AYE: Commissioners Gilliland, Jindra, Hosie and Johnson.

NAY: None.

Thereupon, the Mayor Pro-Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1737 and was signed by the Mayor Pro-Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1738 – NUISANCE ABATEMENT
ASSESSMENT - B MATTHEW/KEY – 604 W. 6TH**

PASSED

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

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 6, 2006, contd.

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF N. 139' OF LOT 1, BLK. 7, GAYLORD & MATTHEWS ADDITION, 604 W. 6TH, WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$94.59.

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

AYE: Commissioners Gilliland, Jindra, Hosie and Johnson.

NAY: None.

Thereupon, the Mayor Pro-Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1738 and was signed by the Mayor Pro-Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1739 – NUISANCE ABATEMENT
ASSESSMENT - CONCORDIA MEDICAL ARTS – 910 W. 11TH PASSED**

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF BLK. 1 IN LOST CREEK HILLS, IN THE ORIGINAL TOWN OF CONCORDIA, 910 W. 11TH, WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$517.09.

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 Gilliland, Jindra, Hosie and Johnson.

NAY: None.

Thereupon, the Mayor Pro-Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1739 and was signed by the Mayor Pro-Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1740 – NUISANCE ABATEMENT
ASSESSMENT - KENDALL/SCHOENBRUNN – 219 W. 3RD PASSED**

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF LOT 16, BLK. 178 IN THE ORIGINAL TOWN, CONCORDIA, KANSAS, 219 W. 3RD, WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$94.59.

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

AYE: Commissioners Gilliland, Jindra, Hosie and Johnson.

NAY: None.

Thereupon, the Mayor Pro-Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1740 and was signed by the Mayor Pro-Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1741– NUISANCE ABATEMENT
ASSESSMENT - EATON – 323 E. 12TH PASSED**

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF LOT 15, BLK. 78, ORIGINAL TOWN, CONCORDIA, KS, 323 E. 12TH, WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$160.84.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 6, 2006, contd.

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

AYE: Commissioners Gilliland, Jindra, Hosie and Johnson.

NAY: None.

Thereupon, the Mayor Pro-Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1741 and was signed by the Mayor Pro-Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1742 – NUISANCE ABATEMENT
ASSESSMENT - ALLEN – 429 E. 2ND**

PASSED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF LOT 17, BLK. 188, 429 E. 2ND, WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$155.84.

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

AYE: Commissioners Gilliland, Jindra, Hosie and Johnson.

NAY: None.

Thereupon, the Mayor Pro-Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1742 and was signed by the Mayor Pro-Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1743– NUISANCE ABATEMENT
ASSESSMENT - HADLEY – 128 STRAIN AVE.**

PASSED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF LOTS 7, 8 & 9, BLK. 1, 128 STRAIN AVE., WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$213.34.

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

AYE: Commissioners Gilliland, Jindra, Hosie and Johnson.

NAY: None.

Thereupon, the Mayor Pro-Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1743 and was signed by the Mayor Pro-Tem and attested by the Clerk.

**RESOLUTION NO. 2006-1744 – NUISANCE ABATEMENT
ASSESSMENT - HAMILTON – 1202 OLIVE**

PASSED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF N. 52' OF LOTS 1 & 2, BLK. 71, ORIGINAL TOWN, CONCORDIA, 1202 OLIVE, WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$213.34.

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

AYE: Commissioners Gilliland, Jindra, Hosie and Johnson.

NAY: None.

Thereupon, the Mayor Pro-Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1744 and was signed by the Mayor Pro-Tem and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 6, 2006, contd.

RESOLUTION NO. 2006-1745 – NUISANCE ABATEMENT
ASSESSMENT - ROLISON – 416 W. 13TH

PASSED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF LOT 4, BLK. 64, SUBDIVISION CONCORDIA, ORIGINAL TOWN, 416 W. 13TH, WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$152.09.

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

AYE: Commissioners Gilliland, Jindra, Hosie and Johnson.

NAY: None.

Thereupon, the Mayor Pro-Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1745 and was signed by the Mayor Pro-Tem and attested by the Clerk.

RESOLUTION NO. 2006-1746 – NUISANCE ABATEMENT
ASSESSMENT - BISNETTE – 236 W. 2ND

PASSED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF LOTS 8, 9 & 10, BLK. 178, SUBDIVISION, CONCORDIA, ORIGINAL TOWN, 236 W. 2ND, WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$2885.43.

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

AYE: Commissioners Gilliland, Jindra, Hosie and Johnson.

NAY: None.

Thereupon, the Mayor Pro-Tem declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1746 and was signed by the Mayor Pro-Tem and attested by the Clerk.

EXECUTIVE SESSION – ATTORNEY/CLIENT PRIVILEGE

At this time, Commissioner Gilliland moved that the commission recess into executive session for fifteen (15) minutes for attorney/client privilege. Commissioner Jindra seconded. Inviting: Larry Paine and Larry Uri. Motion carried. Time: 6:02 p.m.

The commission reconvened at 6:19 p.m.

Mayor Pro-Tem Gilliland announced there was no action taken.

MAYOR/COMMISSIONER COMMENTS

Commissioner Jindra thanked Ron Copple and his crew for doing a good job of putting up the Christmas lights.

Commissioner Gilliland wanted to remind the community about Rachel's Challenge being presented on Thursday night. He felt this was important and asked the community for its support.

City Manager Paine informed the commissioners that work was being done to get the Industrial Park ready for construction of the new vet clinic. He also stated they were working on development agreements for the vet clinic and the ethanol plant.

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



Phil H. Deneault
Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 20, 2006

The governing body met in regular session on December 20, 2006, 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, Hosie, Jindra, Johnson, and Gilliland.

Absent: None.

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

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

Visitors: Jessica LeDuc, Christopher Andregg, Danny Parker, Cher Knudsen, Kirk Lowell, Janet Lowell, Ron Deal, Larry Eubanks, John States, Larry Remmenga, Bruno Rehbein, Jack Gould, Chris Ukens, Carrie Carpentier, Robert L. Steimel, John Hood and Don & Cheryl Lanoue.

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

Mayor Strecker announced a change in the agenda. Item number eight "Executive Session" would be moved to number seven on the agenda. "Resolutions" will now be number item number eight.

Commissioner Gilliland moved to approve the minutes of the December 6, 2006, regular meeting as written. Commissioner Strecker seconded. Motion carried.

APPROPRIATION ORDINANCE NO. 23

APPROVED

Commissioner Strecker moved to approve Appropriation Ordinance No. 23. Commissioner Hosie seconded. Motion carried.

THIRD QUARTER INVESTMENT REPORT

ACCEPTED

Commissioner Jindra moved to place on file the third quarter investment report. Commissioner Gilliland seconded. Motion carried.

APPOINTMENT TO
BOARD OF ZONING APPEALS

MARK PAUL

Bruno Rehbein, Building Inspector, stated Mark Paul has indicated a willingness to be reappointed to the Board of Zoning Appeals. Commissioner Hosie moved to reappoint Mark Paul to a three (3) year term on the Board of Zoning Appeals, with his term being January 20, 2007 through January 19, 2010. Commissioner Jindra seconded. Motion carried.

PUBLIC COMMENTS

Jack Gould asked when the 700 Block of West 11th Street project would be done and why it was not done when rest of the street was overlaid. Mr. Gould also stated he doesn't want to see the commission give CloudCorp any money.

CLOUDCORP 2007 FUNDING AGREEMENT

APPROVED

Kirk Lowell, CloudCorp, presented CloudCorp's annual funding agreement. Mr. Lowell stated the financial records of CloudCorp are open to the public. Commissioner Gilliland moved to approve CloudCorp funding agreement for 2007, for \$45,000.00. Commissioner Jindra seconded. Motion carried.

EXECUTIVE SESSION
ATTORNEY/CLIENT PRIVILEGE

HELD

At this time, Commissioner Strecker moved that the commission recess into executive session for 15 minutes for attorney/client privilege and invited Larry Paine and Larry Uri. Commissioner Jindra seconded. Motion carried. Time: 6:10 p.m.

The commission reconvened at 6:25 p.m.

Mayor Strecker announced there was no action taken.

RESOLUTION NO. 2006-1747 - (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.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 20, 2006, contd.

Thereupon, Commissioner Jindra moved that said Resolution be passed. The motion was seconded by Commissioner Gilliland. 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 Strecker, Hosie, Jindra, Gilliland and Johnson.

No: None.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2006-1747 and was signed and approved by the Mayor and attested by the Clerk.

RESOLUTION NO. 2006-1748 - (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 Jindra moved that said Resolution be passed. The motion was seconded by Commissioner Hosie. 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 Strecker, Gilliland, Jindra, Hosie and Johnson.

No: None.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2006-1748 and was signed and approved by the Mayor and attested by the Clerk.

RESOLUTION NO. 2006-1749 – AIRPORT – COMMUNITY FOUNDATION AGREEMENT

APPROVED

Thereupon there was presented a Resolution entitled:

WHEREAS, THE BLOSSER FOUNDATION HAS EXTENDED AN OFFER TO PROVIDE FINANCING FOR CERTAIN IMPROVEMENTS AND PROJECTS AT BLOSSER MUNICIPAL AIRPORT; AND, THE GOVERNING BODY FINDS IT ADVISABLE AND IN THE BEST INTERESTS OF THE CITY TO PURSUE AN AGREEMENT TO THAT END;

Thereupon, Commissioner Hosie moved that said Resolution be passed. The motion was seconded by Commissioner Johnson. 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 Strecker, Gilliland, Hosie and Johnson.

No: Commissioner Jindra.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2006-1749 and was signed and approved by the Mayor and attested by the Clerk.

MAYOR/COMMISSIONER COMMENTS

Commissioner Hosie would like staff to check the old Kansan building and determine if the building is a safety hazard.

Commissioner Johnson thanked Fire Chief Larry Eubanks for the nice program he presented at the AARP lunch on Friday. Commissioner Johnson also asked about the concession stand agreement at the Sports Complex. City Manager Paine informed Mr. Johnson the concession stand agreement is being reviewed. Commissioner Johnson asked if we could have a public comment at the end of the meeting and would like to discuss this at a study session. He would also like to review the Director of Finance and City Clerk job descriptions at a study session.

Commissioner Gilliland asked if the Airport Advisory Board is full and active. He felt the board should be involved in the Airport Master Plan and stated the Fixed Base Operator is an important issue in the airport.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 20, 2006, contd.

STAFF COMMENTS

City Manager Paine asked if any commissioners would be attending the City Hall Day at the Capitol, January 25, 2007. He would need to have a reply soon to send in the reservations.

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



Lisa Fleming
Deputy City Clerk

(Seal)