

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

TO: Phil Gilliland, Darrel Hosie, Charles Johnson, Joe Jindra and Cheryl Lanoue:

You are hereby notified that there will be a special meeting of the Board of Commissioners at 5:30 o'clock p.m. on the 3rd day of January, 2008, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

PLACE: City Commission Room, City Hall  
DATE: January 3, 2008  
TIME: 5:30 o'clock p.m.

The object of said meeting will be as follows:

1. Roll Call
2. Invocation – Pastor John States-First Christian Church
3. Pledge of Allegiance
4. Approval of Minutes
  - A. December 19, 2007 – Regular Meeting
5. Financial Matters
  - A. Appropriation Ordinance #24
6. Appointments
  - A. Board of Zoning Appeals-Charley Lowers
7. Public Comments
8. Ordinances
  - A. #2008-2948: Abatement of Certain Nuisance
  - B. #2008-2949: Smoking in Restaurants
9. Mayor/Commissioner Comments and Reports
10. Staff Comments
11. Adjourn

(Seal)

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

You are hereby directed to serve the above notice at once personally upon Commissioner (s) Phil Gilliland, Darrel Hosie, Charles Johnson, Joe Jindra, and Cheryl Lanoue or leave said notice at the usual place of residence of said Commissioner before 5:00 p.m. o'clock on the 2nd day of January, 2008 and to make a return in writing of said service, showing the manner of such service.



Chér Knudsen  
Interim City Clerk

(Seal)

**RETURN OF SERVICE**

The undersigned received the original notice of Special City Commission meeting of which the foregoing is a copy at, 1:58 o'clock p.m., January 2, 2008 (Phil Gilliland); 10:41 o'clock a.m., January 2, 2008 (Darrel Hosie); 10:59 o'clock a.m., January 2, 2008 (Charles Johnson); 11:47 o'clock a.m., January 2, 2008 (Joe Jindra); and \_\_\_\_\_ o'clock p.m., January \_\_\_\_\_, 2008 (Cheryl Lanoue).

1. Served the same personally on Phil Gilliland. /s/ Chér Knudsen
2. Served the same personally on Darrel Hosie. /s/ Chér Knudsen
3. Served the same personally on Charles Johnson. /s/ Chér Knudsen
4. Served the same personally on Joe Jindra. /s/ Renee Hubert
5. Served the same at residence of Cheryl Lanoue. /s/ Dennis Blochlinger

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

TO THE BOARD OF CITY COMMISSIONERS:

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

Place: City Commission Room, City Hall, Concordia, Kansas  
Date: January 3, 2008  
Time: 5:30 o'clock p.m.

The object of said meeting will be as follows:

- 1. Roll Call
- 2. Invocation – Pastor John States-First Christian Church
- 3. Pledge of Allegiance
- 4. Approval of Minutes
  - A. December 19, 2007 – Regular Meeting
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  - B. #2008-2949: Smoking in Restaurants
- 9. Mayor/Commissioner Comments and Reports
- 10. Staff Comments
- 11. Adjourn

\_\_\_\_\_  
CHARLES JOHNSON  
COMMISSIONER

\_\_\_\_\_  
PHIL GILLILAND  
COMMISSIONER

\_\_\_\_\_  
DARREL HOSIE  
COMMISSIONER

\_\_\_\_\_  
JOE JINDRA  
COMMISSIONER

\_\_\_\_\_  
CHERYL LANOUE  
COMMISSIONER

**MINUTES OF THE SPECIAL CALL CITY COMMISSION MEETING HELD JANUARY 3, 2008**

The governing body met in a special call session on January 3, 2008 at 5:30 p.m. in the City Commission Room at City Hall, the following members being present and participating, to wit: Commissioners Jindra, Johnson, Lanoue, Gilliland and Hosie.

Absent: None.

Other Officers: City Manager Skiles, City Attorney Uri, Interim City Clerk Knudsen.

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

Visitors: Jessica LeDuc, Toby Nosker, Bruno Rehbein, Kirk Lowell, Marvin Copple, Danny Parker, James Ganson, Megan Murdock, Dawn Blazek, Don Lanoue, Renee Hubert, Janet Eubanks, Ron Deal, Larry Remmenga, Monte Wentz, Nancy Wentz, Ron Copple, Larry Eubanks, Steve Dailey, Stacey Crum, Tom Gennette, Sara Hicks, Ted Collins, Jolene Crotinger, Jack Gould, Lowell Thoman,

Mayor Johnson asked if there were any changes to the agenda. City Manager Skiles asked if the Appropriation Ordinance #24 could be changed to Appropriation Ordinance # 24A. Commissioner Lanoue stated that since this is a special call meeting the agenda couldn't be changed. City Manager Skiles replied that only corrections may be made.

APPROVAL OF MINUTES

Mayor Johnson asked what the new changes were to the minutes. City Manager Skiles stated the following changes were made:

Names of the 11 CMB license applicants were listed.

Exempt Property Status for IRB Certifications; 3 motions were changed to 1 motion.

Commissioner Lanoue stated why she thought it was relevant for her comments to be in the minutes, regarding the CloudCorp policy and the responsibility of the City of Concordia and CloudCorp. City Manager Skiles stated that Kirk Lowell intends to request that this issue be placed on an agenda.

Commissioner Jindra made a motion to approve the revised minutes. Commissioner Gilliland second.

With regard to Mayor Johnson's request for discussion, Commissioner Lanoue made a motion to amend the minutes to include Kirk's statement regarding the CloudCorp funding agreement, working on a policy statement; to actually reflect the employee's health insurance, who BAS is; and to note the reason why I didn't vote for the Non-Classified pay scale as I thought the pay scale was too high. Mayor Johnson seconded.

Motion Failed. The vote being as follows:

Aye: Commissioner Lanoue and Mayor Johnson.

Nay: Commissioners Jindra, Gilliland and Hosie.

With respect to the motion on the table - to approve as revised. Motion carried. The vote being as follows:

Aye: Commissioners Jindra, Gilliland and Hosie.

Nay: Commissioner Lanoue and Mayor Johnson.

Appropriation Ordinance #24A

APPROVED

Commissioner Hosie made a motion to approve Appropriation Ordinance #24A. Mayor Johnson second. Motion carried.

Appointments

Board of Zoning Appeals

Bruno Rehbein made the recommendation to reappoint Charley Lowers to another 3 year term on the Board of Zoning Appeals. Commissioner Hosie made a motion to approve the appointment of Charley Lowers to the Board of Zoning Appeals. Commissioner Gilliland second. Motion carried.

PUBLIC COMMENTS:

Kirk Lowell of CloudCorp stated that he wanted to clarify that CloudCorp would be interested in sitting down and looking at the language in the contract between the City and ClubCorp, not in formulating a separate policy statement.

Kirk also stated that CloudCorp, Cloud County Commission, Cloud County Community College and the City of Concordia are co-sponsoring a public forum on housing. The reason for this is the 450 workers that are estimated to be in our community coming in this spring. CloudCorp has contacted all the mayors in

**MINUTES OF THE SPECIAL CALL CITY COMMISSION MEETING HELD JANUARY 3, 2008 cont'd**

the county whom have all agreed to be on the panel. CloudCorp has also asked Bruno Rehbein to sit on this panel. A County Commissioner, a representative from the Kansas Department of Health and Environment as well as representatives from Everton Energy and Horizon Wind Energy have also been invited. The forum is scheduled for January 10, 2008 at 7:00 p.m. at the Brown Grand.

ORDINANCE NO. 2008-2948- ABATEMENT OF CERTAIN NUISANCE

FAILED

Therefore there was presented an Ordinance entitled.

AN ORDINANCE FINDING CERTAIN ACTIVITIES TO BE A PUBLIC NUISANCE AND PROVIDING REMEDIES FOR THE ABATEMENT THEREOF; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 13-1A.

Thereupon, Commissioner Gilliland moved that said Ordinance be passed. The motion was seconded by Commissioner Jindra. Said Ordinance was duly read and considered, and upon being put, the motion failed. The vote being as follows:

Aye: Commissioners Jindra and Gilliland.

Nay: Commissioners Hosie, Lanoue and Mayor Johnson.

ORDINANCE NO. 2008-2948- SMOKING IN RESTAURANTS

APPROVED

Thereupon there was presented an Ordinance entitled.

AN ORDINANCE AMENDING ARTICLE IX OF THE CONCORDIA CODE, PERTAINING TO SMOKING IN RESTAURANTS; REPEALING CONCORDIA CODE SECTION 11-432; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 11-432.

Thereupon, Commissioner Gilliland moved that Ordinance No. 2949 be passed. The motion was seconded by Commissioner Hosie.

Commissioner Lanoue stated that the Ordinance being considered had the wrong number. City Attorney Uri stated that since Ordinance # 2008-2948 failed and all ordinances are in numbered order, Ordinance #2008-2949 should be changed to Ordinance #2008-2948.

Thereupon, Commissioner Gilliland moved to amend said motion to reflect "Ordinance #2008-2948". Commissioner Hosie Seconded. Motion Carried.

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 Commission, the vote being as follows:

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


Nay: none

MANAGER'S REPORT

City Manager Skiles updated the commission on the employee health insurance.

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

(Seal)

  
Chér Knudsen  
Interim City Clerk

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**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 2008 (Amended)**

The governing body met in regular session on Wednesday, January 16, 2008 at 5:30 p.m. in the City Commission Room at City Hall, the following members being present and participating, to wit: Commissioners Jindra, Johnson, Lanoue, Gilliland and Hosie.

Absent: None.

Other Officers: City Manager Skiles, City Attorney Uri, Interim City Clerk Knudsen.

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

Visitors: Jessica LeDuc, Toby Nosker, Kirk Lowell, Danny Parker, Marsha Wentz, Michael Wentz, Steve Wetter, Ron Copple, Don Lanoue, Marvin Copple, Larry Remmenga, Ben Retter, Lowell Thoman, John States, Mark Morgan, Dallas Nading, Tim Holt, Wendy Holt, Janet Eubanks, Chuck Zimmerman, Steve Bryant, Ron Deal, Diane Nichols, Ted Collins, Guydotta Uken, Burnell Uken, Monte Wentz, Nancy Wentz, Marcia Johnson, and Esteline Harrington, Stacey Crum, Sara Hicks and Renee Hubert.

Mayor Johnson asked if there were any changes to the agenda. City Manager Skiles asked if two (2) items could be added to the agenda, G) Century Health Solutions and H) City Clerk job description. Commissioner Hosie moved to approve the amended agenda. Commissioner Jindra seconded. Motion carried.

APPROVAL OF MINUTES

Commissioner Gilliland moved to approve the minutes of the January 3, 2008 Special Call meeting. Commissioner Jindra seconded. Motion carried.

Appropriation Ordinance #24 FINAL

APPROVED

Commissioner Hosie made a motion to approve Appropriation Ordinance #24 Final. Commissioner Jindra second. Motion carried.

Appropriation Ordinance #1

APPROVED

Mayor Johnson made a motion to approve Ordinance #1. Commissioner Lanoue seconded. Motion carried.

PUBLIC COMMENTS:

Estanline Harrington, on behalf of the Senior Citizens Center, spoke in appreciation for the \$4000.00 that the commission approved. She stated the half will go toward the purchase of a van and the other half will go toward the salaries of the cooks.

Monte Wentz spoke in reference to the revised smoking ordinance in relationship to his business and the Downtown Smoke Shop. Since the passage of the new ordinance, the smell of smoke has returned to his business.

RESOLUTION NO. 2008-1800 Waive of GAAP

APPROVED

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

WHEREAS the City of Concordia, Kansas, has determined that the financial statements and financial reports for the year ended December 31, 2008 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the Governing Body or the members of the general public of the City of Concordia

Thereupon, Commissioner Gilliland moved that said Resolution be adopted. The motion was seconded by Commissioner Lanoue. 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:

Yea: Commissioners Gilliland, Jindra, Hosie, Lanoue and Mayor Johnson.

Nay: None.

RESOLUTION NO. 2008-1801 RETURN CHECK POLICY

APPROVED

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

BE IT RESOLVED by the governing body of the City of Concordia, Kansas:

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**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 2008, CONT'D (Amended)**

WHEREAS, the governing body finds that the best interests of the city is served by adopting a policy concerning insufficient funds checks tendered to the city;

Commissioner Lanoue asked if the resolution could include the option to send the return check to the State Set-Off program. City Attorney Uri stated that the Resolution could be amended to reflect that option.

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

Yea: Commissioners Gilliland, Jindra, Hosie, Lanoue and Mayor Johnson.

Nay: None.

ORDINANCE NO. 2008-2949 ABATEMENT OF CERTAIN NUISANCE

PASSED

Therefore, there was presented an Ordinance entitled:

AN ORDINANCE PROVIDING AN ADDITIONAL MEANS OF ABATEMENT OF THE PUBLIC NUISANCE ORDINANCES OF THE CITY OF CONCORDIA; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 13-1A.

Thereupon, Commissioner Gilliland moved that said Ordinance be passed. The motion was seconded by Commissioner Jindra. Said Ordinance was duly read and considered, and upon being put, the motion passed. The vote being as follows:

Aye: Commissioners Jindra, Gilliland, Hosie, Lanoue and Mayor Johnson.

Nay: none.

NEW BUSINESS:

Public Works- Equipment Specifications:

Public Works Director Ron Copple is recommending the City Commission approve the specifications for a two ton truck chassis, one ton dump with box and a riding mower. Commissioner Hosie made a motion to approve the specifications, Commissioner Lanoue seconded. Motion carried with the vote being as followed:

Aye: Commissioners Jindra, Gilliland, Hosie, Lanoue and Mayor Johnson.

Nay: none.

Ron Copple also asked the commission to purchase a Grapple Bucket to aid in the clean up from the December ice storm and with spring clean up. The City plans on purchasing a new pickup in 2008. If the commission approves this purchase, the new pickup would not be purchased. Commissioner Lanoue made a motion to approve the purchase of the Grapple Bucket with lease option from Concordia Tractor Inc. for \$15750.00, zero percent for 6 months, with the money coming from funding line 222. Commissioner Gilliland second. Motion carried with the vote being as followed:

Aye: Commissioners Jindra, Gilliland, Hosie, Lanoue and Mayor Johnson.

Nay: none.

CLOUDCORP

Kirk Lowell, Executive Director for CloudCorp, Marsh Wentz, President, and Accountant Chuck Zimmerman answered questions that were asked at the January 3, 2008 City Commission meeting. The question of financial accountability for CloudCorp to the City; the City Commissioners receive a financial report from CloudCorp every two (2) months. Where does the \$45,000.00 go toward that the City gives CloudCorp?: Marsha Wentz stated that she couldn't say exactly where the funds go because they all go into one account. Chuck Zimmerman with Gottschalk & Co. reviews the finances every quarter and then at year end. Marsha also stated that she has a problem showing the financial reports because they are a private sector organization with a contract with the City. Kirk Lowell caution the Commissioners on giving out too much information found in the financials, stating that it was information about private individuals. Some of the things that CloudCorp does are the Downtown Revitalization and the Revolving Loan.

MINUTES

A discussion was held regarding how the minutes of the City Commission is kept and recorded. City Manager Skiles informed the commission that some research was done on how other City Clerks prepare and record their minutes. It was decided that if a commissioner makes a statement and wants that statement recorded in the minutes then they should state "For the Record". The minutes reflect what happens at the meetings.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 2008, CONT'D (Amended)**

**LETTER OF ENGAGEMENT – AUDITORS**

**PASSED**

Finance Director Ruby Maline informed the commission that the yearly audit with Myer, Hoffman McCann is scheduled for March 31<sup>st</sup>. Due to the changes in audit standards, there could be a 10-40% increase in time doing the audit. The cost for this is not known at this time. Commissioner Hosie made a motion to sign the Letter of Engagement to do the audit. Commissioner Jindra seconded. Motion carried with the vote being as follows:

Aye: Commissioners Jindra, Gilliland, Hosie, Lanoue and Mayor Johnson.

Nay: none.

**EXTENSION – GEO CORE**

**APPROVED**

Larry Remmenga, Director of Utilities asked the commission to sign the renewal and extension agreement with GeoCore for another 10 years. This is an extension of the agreement that was signed December 17, 1997. Commissioner Jindra made a motion to sign the Renewal and Extension License Agreement with GeoCore for another 10 years. Commissioner Gilliland seconded. Motion carried with the vote being as follows:

Aye: Commissioners Jindra, Gilliland, Hosie, Lanoue and Mayor Johnson.

Nay: none.

**VEHICLE PURCHASE- POLICE DEPARTMENT**

**PASSED**

Chief of Police Danny Parker asked the commission for approval of purchase of a 2003 Buick LeSabre. The investigators car, a 2000 Impala would be used as a trade in. Babe Houser gave a bid of \$11,850.00 less trade for a net cost of \$9,850.00. Chief Parker also asked for the approval of the purchase of a 2006 Dodge Charger from Concordia Auto Mart. This car would be used by the school resource officer. Three (3) cars would be used as trade-ins: a 2003 Impala for \$1,500.00, a 2000 Impala for \$1,000.00, and 1981 Camaro for \$500.00, for a net cost of \$8,900.00. Commissioner Jindra made a motion to approve the purchase of both vehicles. Commissioner Gilliland seconded. Motion carried with the vote being as follows:

Aye: Commissioners Jindra, Gilliland, Hosie, Lanoue and Mayor Johnson.

Nay: none.

**CENTURY HEALTH SOLUTIONS**

**APPROVED**

City Manager Skiles asked for the approval of the Century Health Solutions, Inc. Network Service Agreement. He stated that City Attorney Uri has looked through the agreement also. Commissioner Gilliland made a motion to approve the agreement with Century Health Solutions, Inc. Commissioner Jindra seconded. Motion carried, the vote being as follows:

Aye: Commissioners Jindra, Gilliland, Hosie, Lanoue and Mayor Johnson.

Nay: none.

**CITY CLERK JOB DESCRIPTION:**

City Manager Skiles gave the commission the job description of the City Clerk. The city clerk would report to the City Manager per the commissioner's request. Mr. Skiles stated that his intent is to write an ordinance that reflects the changes made by the commission.

**MANAGER'S REPORT**

None.

**MAYOR/COMMISSIONER COMMENTS**

Commissioner Lanoue asked about the interest report. Finance Director Ruby Maline informed her she was working on the investment report and should have them shortly.

**STAFF COMMENTS:**

Larry Remmenga informed the commission that he has received the final engineering report from Bucher, Willis & Ratliff Corporation on the master plan for the North Development. A copy of this report was given to the commissioners.

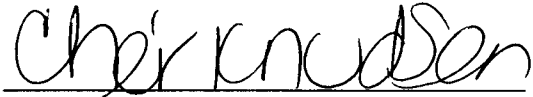
Larry Remmenga, on behalf of a lot of the city employees, stated he would like to sincerely thank the commission for allowing the employees to purchase the current insurance plan.

Ruby Maline introduced Sara Hicks to the commission as a new employee in the front office.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 16, 2008, CONT'D (Amended)**

Ron Copple updated the commission on the clean up effort from the December ice storm. Crews had hauled 456 loads of limbs so far, totaling over 800 hours of labor. Cost to date is \$37,000.00. Ron Copple also updated the commission on the airport improvements.

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



Chér Knudsen  
Interim City Clerk

(Seal)



# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 6, 2008(AMENDED)**

The governing body met in regular session on Wednesday, February 6, 2008 at 5:30 p.m. in the City Commission Room at City Hall, the following members being present and participating, to wit: Commissioners Jindra, Johnson, Lanoue, Gilliland and Hosie.

Absent: None.

Other Officers: City Manager Skiles, City Attorney Uri, Interim City Clerk Knudsen.

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

Visitors: Jessica LeDuc, Toby Nosker, Marcia Johnson, Danny Parker, Larry Eubanks, Bruno Rehbein, Ruby Maline, Sandra Moore, James Garrison, Don Lanoue, Larry Remmenga, Ron Copple, Tom Gennette, Janet Eubanks, Marvin Copple, Ted Collins, Gary Dvorak, Tom Tuggle and Jack Gould.

Pastor Sandra Moore, First United Methodist Church, provided the invocation before the city commission meeting.

Mayor Johnson asked if there were any changes to the agenda. There were none. Commissioner Hosie moved to approve the agenda. Commissioner Lanoue seconded. Motion carried.

## **APPROVAL OF MINUTES**

Commissioner Hosie moved to approve the minutes of the January 16, 2008, regular meeting, with the following amendments: change CTI to Concordia Tractor Inc.; correct the spelling and transposition of Century Health Solutions; adding North Development to the engineers report master plan and adding "could be sent to the state setoff program" to Resolution 2008-1801-return check policy. Commissioner Lanoue seconded. Motion carried.

## **Appropriation Ordinance #2**

## **APPROVED**

Commissioner Gilliland moved to approve Appropriation Ordinance #2. Commissioner Johnson seconded. Motion carried by the following vote:

Yea: Mayor Johnson, Commissioners Gilliland, Jindra, Hosie and Lanoue

Nay: None

## **PUBLIC COMMENTS:**

There were no public comments.

## **ORDINANCE NO. 2008-2950 DEPARTMENT OF RECORDS**

## **PASSED**

Therefore, there was presented an Ordinance entitled:

AN ORDINANCE amending the duties of the city clerk; establishing a department of records, repealing Concordia Code sections 2-111, 2-114, 2-191, and 2-193; and amending the Concordia Code, by adding new sections 2-111, 2-114, 2-120, 2-191, 2-193, and 2-202.

Thereupon, Commissioner Jindra moved that said Ordinance be passed. The motion was seconded by Commissioner Hosie. 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 Commission, the vote being as follows:

Yea: Mayor Johnson, Commissioners Hosie, Lanoue, Gilliland and Jindra.

Nay: None

Thereupon, the Mayor declared said Ordinance duly passed. The Ordinance was then duly numbered Ordinance No. 2008-2950, signed and approved by the Mayor and attested by the Clerk.

## **ORDINANCE NO. 2008-2951 STREET VACATION 233 E. 16TH**

## **PASSED**

Therefore, there was presented an Ordinance entitled:

AN ORDINANCE pursuant to K.S.A. 12-504 and 12-505, as amended, vacating a portion 8.25 feet by 61.81 feet of East 16<sup>th</sup> Street adjoining Lots 17 and 18 in Block 45 in the City of Concordia, Kansas.

After some discussion:

Thereupon, Mayor Johnson moved that said Ordinance be passed. The motion was seconded by Commissioner Jindra. Said Ordinance was duly read and considered, and upon being put, the motion

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**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 6, 2008 Cont'd(AMENDED)**

for the passage of said Ordinance was carried by the vote of the Commission, the vote being as follows:

Yea: Mayor Johnson, Commissioners Hosie, Lanoue, Gilliland and Jindra.

Nay: None

Thereupon, the Mayor declared said Ordinance duly passed. The Ordinance was then duly numbered Ordinance No. 2008-2951, signed and approved by the Mayor and attested by the Clerk.

**NEW BUSINESS:**

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

**APPROVED**

The State of Kansas annually sends the City a Declaration for Participation in the Firefighters Relief Fund. This entitles the fire department to participate in the Firefighters Relief Act, a fund created by law (K.S.A. 40-1701, et.Seq., and K. A.R. 40-10-1, et. Seq.).

Commissioner Hosie made a motion to approve and sign the declaration. Commissioner Lanoue seconded. Motion carried by the following vote:

Yea: Mayor Johnson, Commissioners Lanoue, Gilliland, Jindra and Hosie.

Nay: None

**REPLACEMENT OF POOL VALVES**

**APPROVED**

Ron Copple, Director of Public Works asked for approval for \$18,345 for Hood Heating & Air to replace the valves at the swimming pool. Mayor Johnson asked if the valves were brass or plastic, Mr. Copple said that they are plastic and they would last longer then brass. He also informed the commission that he has purchased a new diving board for the swimming pool.

Commissioner Hosie made a motion to approve the request for Hood Heating & Air to replace the valves at the swimming pool, to replace the one meter diving board and for swimming pool paint as presented by Ron Copple. Commissioner Gilliland seconded. Motion carried by the following vote:

Yea: Mayor Johnson, Commissioners Lanoue, Gilliland, Jindra and Hosie.

Nay: None.

**SENIOR CITIZENS CENTER**

**APPROVED**

Marcia Johnson and Gary Dvorak from the Concordia Senior Citizens Center were present to request another \$2000 from the City for there 2008 wages for their employees. City Manager Skiles told the Commission that he was sure he could find \$2000 in the budget.

Commissioner Jindra made a motion to approve the request for the Concordia Senior Citizens Center the \$2000. Commissioner Gilliland seconded. Motion carried by the following vote:

Yea: Mayor Johnson, Commissioners Lanoue, Hosie, Jindra and Gilliland

Nay: None

**OLD BUSINESS:**

**ACCEPT (2) TWO TON TRUCK BID**

**WOMACK SUNSHINE FORD**

Ron Copple, Director of Public Works, advised the commission the City received (2) two bids for the (2) two ton truck for the Public Works department. Following is the bid tabulation.

**(2) TWO TON TRUCK BID TABULATION SHEET  
PUBLIC WORKS DEPARTMENT**

January 28, 2008  
2:30 p.m.

	<b><u>Without Trade</u></b>	<b><u>With Trade</u></b>
Babe Houser Motor Co., Inc. (2008)	\$51,820.87	\$49,320.87
Womack Sunshine Ford (2009)	\$49,300.00	\$48,800.00

Commissioner Jindra moved to accept staff recommendation to accept the with-trade bid from Womack Sunshine Ford, in the amount of \$48,800.00. Commissioner Lanoue seconded. Motion carried by the following vote:

Yea: Mayor Johnson, Commissioners Gilliland, Jindra, Hosie and Lanoue

Nay: None  
**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 6, 2008 Cont'd(AMENDED)**

ACCEPT (1) ONE TON TRUCK BID BABE HOUSER MOTOR CO., INC.

Ron Copple, Director of Public Works, advised the commission the City received (3) three bids for the (1) one ton truck for the Public Works department. Following is the bid tabulation.

**(1) ONE TON TRUCK BID TABULATION SHEET  
PUBLIC WORKS DEPARTMENT**

January 28, 2008  
2:30 p.m.

	<u>Without Trade</u>	<u>With Trade</u>
Babe Houser Motor Co., Inc.	\$29,503.00	\$28,503.00
Womack Sunshine Ford 4 x 2	\$32,063.00	\$31,563.00
Womack Sunshine Ford 4 x 4	\$34, 471.00	\$33,971.00

Commissioner Gilliland moved to accept staff recommendation to accept the with-trade bid from Babe Houser Motor Co., Inc., in the amount of \$28,503.00. Commissioner Jindra seconded. Motion carried by the following vote:

Yea: Mayor Johnson, Commissioners Gilliland, Jindra, Hosie and Lanoue

Nay: None

ACCEPT MOWER BID BUDREAU MUFFLER

Ron Copple, Director of Public Works, advised the commission the City received (2) two bids for the mower for the Public Works department. Following is the bid tabulation.

**MOWER BID TABULATION SHEET  
PUBLIC WORKS DEPARTMENT**

January 28, 2008  
2:30 p.m.

	<u>Without Trade</u>	<u>With Trade</u>
Concordia Tractor Inc. (CTI)	\$40,852.00	\$39,852.00
Budreau Muffler	\$35,500.00	\$33,500.00

Commissioner Hosie moved to accept staff recommendation to accept the with-trade bid from Budreau Muffler, in the amount of \$33,500.00. Commissioner Lanoue seconded. Motion carried by the following vote:

Yea: Mayor Johnson, Commissioners Gilliland, Jindra, Hosie and Lanoue

Nay: None

EXECUTIVE SESSION  
ATTORNEY/CLINT PRIVILEGE HELD

At this time, Mayor Johnson moved that the commission recess into executive session for (10) ten minutes for the discussion of attorney/client privilege inviting City Attorney Uri and City Manager Skiles. Commissioner Hosie seconded. Motion carried by the following vote:

Yea: Mayor Johnson, Commissioners Gilliland, Jindra, Hosie and Lanoue

Nay: None

Time: 6:29 p.m.

The commission reconvened at 6:39 p.m.

Mayor Johnson announced there was no action required.

EXECUTIVE SESSION  
CONFIDENTIAL DATA RELATING TO FINANCIAL AFFAIRS HELD

At this time, Mayor Johnson moved that the commission recess into executive session for (20) minutes for the discussion of confidential data relating to financial affairs inviting in City Attorney Uri, Director of Finance Maline and City Manager Skiles. Commissioner Jindra seconded. Motion carried by the following vote:

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 6, 2008 Cont'd(AMENDED)**

Yea: Mayor Johnson, Commissioners Gilliland, Jindra, Hosie and Lanoue

Nay: None

Time: 6:40 p.m.

The commission reconvened at 7:00 p.m.

Mayor Johnson announced there was no action required.

PHASE III AIRPORT PROJECT

DECLINED

After some discussion the commission declined an offer from Beldon Blosser to continue with improvements at the airport. Commissioner Gilliland asked if there had been any investigation into private donations or grants that could fund the city's half of the project and also stated that we need to wait to do more until we get a fixed based operator. Commissioner Gilliland also stated that the city has already spent unbudgeted funds and thinks that we need to decline the offer at this time.

Commissioner Hosie agreed and expressed his concern that the money for the project was not budgeted this year, which has just begun, and we do not know what might be coming up through the year that we could need funding for.

Commissioner Lanoue expressed her appreciation to Mr. Blosser for his contributions in the previous renovation phases, but also declined accepting his offer.

Mayor Johnson made a motion to decline Mr. Blosser's offer to fund half of the next phases of the airport project. Commissioner Hosie seconded. Motion declined by the following vote:

Yea: Mayor Johnson, Commissioners Gilliland, Jindra, Hosie and Lanoue

Nay: None

MANAGERS REPORT

City Manager Skiles wanted to express what a good idea it was that Tom Gennette had to get with the college to use their bus and work together as a community.

MAYOR/COMMISSIONER  
COMMENTS AND REPORTS

Commissioner Gilliland commented that he also appreciated the college, city and county all working together to make our community stronger.

Commissioner Jindra thanked Ron Copple and his crew on a great job done with clearing the streets from all of our winter storms.

Commissioner Lanoue also thanked all the city crew's for a job well done clearing the streets from all the snow and also all of their hard work during the ice storm.

Mayor Johnson shared a letter he received from Dr. Underbakke at Cloud County Community College thanking the city commission for attending Concordia Night at the college.

STAFF COMMENTS

Larry Eubanks, Fire Chief reported that in 2007 that his department had done (58) fifty-eight long distance transfers and had assisted with (13) thirteen fly-outs.

Ron Copple, Director of Public Works and Larry Eubanks, Fire Chief talked about their meeting with Federal Emergency Management Assistance (FEMA) regarding the clean up of tree limbs from the ice storm and that they are looking into the definition of a dangerous tree with FEMA so that they can be taken down and the city can be reimbursed. Mr. Copple and Mr. Eubanks will be assessing the trees around town to see which ones would be classified as dangerous to the public.

Danny Parker, Police Chief, informed the commission that he had hired a new Police Officer, Nathan Gentry, and now that puts the police department up to full staff.

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



Chér Knudsen  
Interim City Clerk

(Seal)

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 20, 2008 (AMENDED)**

The governing body met in regular session on Wednesday, February 20, 2008 at 5:30 p.m. in the City Commission Room at City Hall, the following members being present and participating, to wit: Commissioners Jindra, Johnson, Lanoue, Gilliland and Hosie.

Absent: None.

Other Officers: City Manager Skiles, City Attorney Uri, Deputy City Clerk Crum.

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

Visitors: Jessica LeDuc, Toby Nosker, Ken Johnson, Kirk Lowell, Danny Parker, Ron Deal, Marvin Copple, John States, Don Lanoue, Larry Eubanks, Larry Remmenga, Renee Hubert, Janet Eubanks, Ted Collins, James Garrison, Jim Wahlmeier, Monty Wentz, and Frank Mercurio.

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

Mayor Johnson asked if there were any changes to the agenda. City Manager Skiles asked to remove item B under New Business. Commissioner Gilliland moved to approve the agenda. Commissioner Lanoue seconded. Motion carried.

APPROVAL OF MINUTES

Commissioner Gilliland moved to approve the minutes of the February 6, 2008, regular meeting, with the following amendments: under Phase III Airport Project, the vote should be all Yea, not all Nay. Commissioner Lanoue seconded. Motion carried.

Appropriation Ordinance #3

APPROVED

Commissioner Lanoue moved to approve Appropriation Ordinance #3 with the following corrections: Hugo Wall School Conference -should be paid out of line 725 not fund 725, Computer Solutions for ink cartridges should be office supplies not office furniture, OMB's Express for lightbar for new car should be paid from fund 222. Larry Remmenga stated that the bill for Matt Friend Truck Equipment should be a encumbrance. Mayor Johnson seconded. Motion carried by the following vote:

Yea: Mayor Johnson, Commissioners Gilliland, Jindra, Hosie and Lanoue

Nay: None

PUBLIC COMMENTS:

There were no public comments.

RESOLUTIONS:

APPROVED

2008-1802: Post Fire Debris Removal—718 E. 5<sup>th</sup>

Thereupon there was presented a Resolution entitled:

WHEREAS, the enforcing officer pursuant to K.S.A. 12-1750 et seq., as provided by Section 2-351 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 Hosie moved that said Resolution be passed. The motion was seconded by Commissioner Lanoue. 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 Lanoue, Hosie, Jindra, Gilliland and Mayor Johnson.

No: None.

MANAGERS REPORT

City Manager Skiles reported City Employee Roger Hamilton should be released from the hospital by the first of next week. FEMA would be in Concordia the first week of March in regards to the December ice storm. Manager Skiles also answered questions regarding street projects, grant money and sealing projects.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 20, 2008(Cont'd)(AMENDED)****MAYOR/COMMISSIONER  
COMMENTS AND REPORTS**

Mayor Johnson asked what kind of physicals are required, if any, by the Fire Department. Manager Skiles stated that he and Chief Eubanks were addressing that issue.

Commissioner Gilliland asked about KDOT grants for Highway 9. Manager Skiles stated there are no funds available.

Commissioner Hosie asked about street sealing projects. Ken Johnson stated that bids had been taken and they will be presented at the next Commission meeting.

Commissioner Lanoue asked if there was going to be a detailed budget, investment report and the workman's compensation report. City Manager Skiles replied he does not intend to put together a "budget" book.

**NEW BUSINESS**

South Concordia Flood Control Project:


Frank Mercurio from KLA Environmental Services discussed the soil composition. Phase I and Phase II are complete. The next phase is the Design Phase. The ballpark price for both dams in 2005 was \$895,000.00. Construction costs have increased 20-30%, making the estimated price about \$1.2 million since the project is still about 3 years away.

The design phase of the project would take about 1 year for both dams, up to a year for all the permits then approximately a year for actual construction. The project is expected to be completed by the end of 2010 or the beginning of 2011.

**STAFF COMMENTS**

Following a discussion it was decided to invite the County Commissioners to the next commission meeting study session.

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

  
\_\_\_\_\_  
Stacey Crum  
Deputy City Clerk

(Seal)

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 5, 2008

19

The governing body met in regular session on Wednesday, March 5, 2008 at 5:30 p.m. in the City Commission Room at City Hall, the following members being present and participating, to wit: Commissioners Jindra, Johnson, Lanoue, Gilliland and Hosie.

Absent: None.

Other Officers: City Manager Skiles, City Attorney Uri, Interim City Clerk Knudsen.

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

Visitors: Jessica LeDuc, Toby Nosker, L. Dean Thompson, Stacey Crum, Sara Hicks, Renee Hubert, Danny Parker, Don Lanoue, Ron Copple, Don Dean, Ron Deal, Larry Eubanks, Marvin Copple, John States, Larry Remmenga, John Davis, Ted Collins and Tom Gennette.

Rev. L. Dean Thompson, Trinity United Methodist Church, provided the invocation.

Mayor Johnson asked if there were any changes to the agenda. City Manager Skiles asked to add item B under Approval of Minutes for the February 6, 2008 meeting and add item 2 under Study Session - Gift of Land. Commissioner Hosie moved to approve the agenda. Commissioner Jindra seconded. Motion carried.

APPROVAL OF MINUTES

Commissioner Lanoue moved to approve the minutes of the February 20, 2008, regular meeting, with the following amendment: Commissioner Lanoue asked if there was going to be a detailed budget, investment report and the workman's compensation report. City Manager Skiles replied that, at this time, he does not intend to make a "budget" book. Mayor Johnson seconded. Motion carried.

Commissioner Hosie moved to approve the amended minute from the February 6, 2008, regular meeting as they were presented at the March 5, 2008, regular meeting to include the following: to replace the one meter diving board and for swimming pool paint as presented by Ron Copple at that meeting. Commissioner Jindra seconded. Motion carried.

Appropriation Ordinance #4

APPROVED

Commissioner Lanoue moved to approve Appropriation Ordinance #4 with the following changes: reclassify the downtown project from 222 to 220 and to void the check to Family Care Center and turn it over to the insurance company to pay. It was an injury to a woman who played volleyball this fall. Commissioner Gilliland seconded. Motion carried by the following vote:

Yea: Mayor Johnson, Commissioners Gilliland, Jindra, Hosie and Lanoue

Nay: None

PUBLIC COMMENTS:

Rev. John States expressed his thoughts on the ordinance that would allow drinking establishments within 200 feet of a church, school or hospital. He encouraged the commission to take the Planning Commissions recommendation and not approve the ordinance.

NEW BUSINESS:

SALE OF LAND

APPROVED

Commission Gilliland made a motion to authorize the City Manager to publish a notice of interest and accept bids for the sale of land. Land description is as follows: Block 18, Section 4, Lot's 1, 2, 3, 4, 5, 6, 13, 14, 15, 16, 17 and 18 of Concordia Original Town subdivision. Commission Lanoue seconded. Motion carried by the following vote:

Yea: Mayor Johnson, Commissioners Lanoue, Gilliland, Jindra and Hosie.

Nay: None

SLURRY SEAL

APPROVED

Ron Copple told the commission the city received three (3) bids for the slurry seal-resurfacing with the following bids:

Vance Brothers, Inc.	\$121,598.50
Beachner Construction Co., Inc.	\$189,692.50
Ballou Construction Co., Inc.	\$192,082.50

Vance Brothers, Inc. was the low bid of \$121,598.50. With design and construction inspection the total cost of the project would be \$137,598.50. Commissioner Gilliland asked why there was such a difference in the bids. Commissioner Hosie asked who did the Slurry Seal last year. Mr. Copple stated it was Vance Brothers, Inc. Commissioner Lanoue stated that she didn't feel the City got what they paid for in last years

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 5, 2008, cont'd

slurry seal and had concerns if Vance Brothers, Inc. was awarded the bid. She stated she would like to see what they are going to do before they are awarded another bid.

Mr. Copple stated he was not satisfied with the work that was done last year and he has spoken with Vance Brothers, Inc. He believes that some of those things would be worked out with the new contract. Don Dean with Campbell & Johnson also stated that the weather played a big factor in the job that was done last year. He also stated that Campbell & Johnson would be more diligent inspection.

Mr. Copple stated the start date is June 30<sup>th</sup> and the end date is September 15. He stated the reason for the June 30<sup>th</sup> start date is that he needs time to prepare the streets prior to slurry sealing. Commissioner Hosie asked if we could get them to add on more blocks for the same cost per block.

A discussion was held regarding 5<sup>th</sup> Street between State and Cedar Streets. Don Dean stated it would cost approximately \$500,000 to fix both lanes. Commissioner Lanoue asked how long does the Slurry Seal last. Mr. Copple stated usually 3 to 4 years.

Commissioner Hosie made a motion to approve the bid from Vance Brothers, Inc. for the Slurry Seal. Commissioner Gilliland stated he would second if Commissioner Hosie would add to the motion that the work be monitored closely. Commissioner Hosie agreed. Commissioner Gilliland seconded. Motion carried by the following vote:

Yea: Mayor Johnson, Commissioners Lanoue, Gilliland, Jindra and Hosie.

Nay: None.

### STREET MILLS AND OVERLAYS

APPROVED

Ron Copple stated the only bid the city received was from Hall Brothers, Inc. Staff recommends the city accept the bids from Hall Brothers Inc. in the amount of \$360,489.30, with the total cost including design and construction inspection totaling \$430,789.30.

The streets that are to be overlaid are as follows:

11<sup>th</sup> Street, 1<sup>st</sup> Avenue to city limits, Elmhurst from 10<sup>th</sup> to 11<sup>th</sup> Street  
 7<sup>th</sup> Street from Lincoln to State  
 6<sup>th</sup> Street from Broadway to Cedar, Cedar Street from 5<sup>th</sup> to 6<sup>th</sup> Street  
 Washington Street from 5<sup>th</sup> to 7<sup>th</sup> Street

Commissioner Gilliland made a motion to approve the bid from Hall Brothers, Inc. for the Street Mills and Overlays. Commissioner Jindra seconded. Motion carried by the following vote:

Yea: Mayor Johnson, Commissioners Lanoue, Hosie, Jindra and Gilliland

Nay: None

### STATEMENT OF ACTIVITIES

Finance Director Ruby Maline went over the Statement of Activities for the month ended January 31, 2008. Commissioner Hosie stated this was a good report and would be even better after the commission is used to seeing it.

Mayor Johnson asked about the statement at the bottom of the Statement of Net Assets Report. Mrs. Maline explained that it is because of the long term liabilities which are the debt we issued for infrastructure improvements.

Commissioner Lanoue asked why don't we determine the value of the infrastructure and put it the general information book that is available to the public.

### STREET DEPARTMENT 1 - TON TRUCK BID

APPROVED

Ron Copple stated that on the February 6, 2008 commission meeting he recommended the purchase of the truck from Babe Houser. He later found out that the truck did not meet the specs. He is recommending the purchase of the truck from Womack Sunshine Ford at a cost of \$31,563.00 with trade-in.

Commissioner Gilliland made a motion to accept the bid from Womack Sunshine Ford for a 1-ton truck and dump box. Commissioner Lanoue seconded. Motion carried by the following vote:

Yea: Mayor Johnson, Commissioners Lanoue, Hosie, Jindra and Gilliland

Nay: None

### AMBULANCE BILLING

Fire Chief Eubanks stated that when an ambulance goes on a run, they enter the patient information into their system. Reports are generated and given to Stacey Crum about twice a month. Stacey then mails the reports to Delisa's Medical Billing. When payments are received, Stacey records the payment on a spread



**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 5, 2008, cont'd**

sheet, makes a copy of the payment report, either faxes or mails a copy to Delisa and deposits the check. Payments are posted to each individuals account and the patient totals are matched with Delisa's Medical Billing each month. It is to be noted that City staff and Delisa's are working to make the process more efficient and effective for both parties. Stacey, via remote, will be able to access Delisa's patient files. Scanning and e-mailing of payment verification, versus mailing, is also being considered.

Delisa Merry with Delisa's Medical Billing presented a summary of her background, the number of ambulance services that she has for customers and the annual training that she and her employees undergo. Delisa introduced her employee, Jenna, who explained the claims billing process. After all applicable insurances have been billed and have responded, the client is billed for the remainder of the fee. Delisa's fees are based upon monies collected as a result of their billing. This fee is 15% on "old" accounts (prior to 10/1/07), and 7% on "current" accounts. At this point, most of the old accounts have been processed. Jenna explained that medicare, medicaid and traditional insurance companies will not consider claims that are more than one year past the date of service. Jenna stated that the approximate dollar amount lost, during '05 and '06, due to untimely filing was \$26,022.87. The majority of these claims were never filed nor did Delisa, based upon age, intend to file them.

The Commission thanked Delisa's Medical Billing for coming in and speaking with them.

ORDINANCE NO. 2008-2952: ZONING ADMINISTRATIVE POWER & DUTIES TABLED

Therefore, there was presented an Ordinance entitled:

AN ORDINANCE amending articles 1, 3, 4, 6, 20, 26 and 27 of the Zoning Regulations of the City of Concordia.

A discussion was held regarding these changes. Mayor Johnson stated he had problems reading the ordinance due to punctuation and grammar errors. He stated the ordinances are considered legal document and should be corrected. Building Inspector Bruno Rehbein stated that Attorney Jim Kaup wrote the ordinances and made the notes where items were changed or deleted, so the commissioners would know what was changed. Commissioner Lanoue stated that she would feel better passing the ordinance if it was a cleaner version.

Thereupon, Commissioner Jindra moved that said Ordinance be tabled. The motion was seconded by Commissioner Lanoue. Said Ordinance was duly read and considered, and upon being put, the motion to table said Ordinance was tabled by the vote of the Commission, the vote being as follows:

Yea: Mayor Johnson, Commissioners Hosie, Lanoue, Gilliland and Jindra.

Nay: None

ORDINANCE NO. 2008-2953: DRINKING ESTABLISHMENT DENIED

Therefore, there was presented an Ordinance entitled:

AN ORDINANCE amending section 9-3, permitted and conditional uses, in article 9, Commercial zones districts, and section 2-3, definitions, of the zoning regulations of the City of Concordia.

Following a discussion, Bruno Rehbein stated the Planning Commission recommended that this ordinance not be passed. Commissioner Gilliland made a motion to support the Planning Commission recommendation and not approve Ordinance No. 2008-2953. Commissioner Lanoue seconded.

Yea: Mayor Johnson, Commissioners Hosie, Lanoue, Gilliland and Jindra.

Nay: None

ORDINANCE NO. 2008-2954: TEMPORARY USES TABLED

Therefore, there was presented an Ordinance entitled:

AN ORDINANCE amending section 20-7, Temporary Uses, of article 20, Supplemental District Regulations of the Zoning Regulations of the City of Concordia.

Thereupon, Commissioner Gilliland moved that said Ordinance be tabled. The motion was seconded by Commissioner Lanoue. Said Ordinance was duly read and considered, and upon being put, the motion to table said Ordinance was tabled by the vote of the Commission, the vote being as follows:

Yea: Mayor Johnson, Commissioners Hosie, Lanoue, Gilliland and Jindra.

Nay: None

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 5, 2008, cont'd**

Bruno Rebhein, Building Inspector and Larry Remmenga, Director of Public Works answered questions from the Commission regarding the two (2) ordinances that were tabled. Mayor Johnson asked if MHS in Ordinance 2008-2954 could be spelled out as Manufacture Home Subdivision. Commissioner Lanoue asked if persons applying for a temporary use permit would be required to hook up to city water. Mr. Remmenga stated at this time there is not an ordinance requiring this. Commissioner Lanoue stated that she understands that they are not required to hook up to the city's water and sewer lines but chances are they will be dumping out at the airport and we should recoup some of that cost. She stated some of the fees should go to the utility department general fund. Mr. Rehbein stated that this ordinance does not spell out a temporary use fee. Mr. Rehbein asked if she would like a statement in the ordinance that relates to this. City Attorney Uri suggested that the fee should be included in the permit and ordinance. Commissioner Hosie stated he thought the Planning Commission did a good job working on the ordinance.

RESOLUTION NO: 2008-1803: POST FIRE DEBRIS REMOVAL: 620 W. 3RD APPROVED

The undersigned, as building inspector of the City of Concordia and enforcing officer pursuant to K.S.A. 12-1750 et seq. hereby notifies the Governing Body that in his opinion the following structure is unsafe and dangerous:

The premises located at 620 W. 2<sup>nd</sup> Street, Concordia, Kansas.

City Attorney stated this resolution needs to be passed so the City can retain the insurance check until the property is cleaned.

Commissioner Jindra made a motion to approve Resolution No. 2008-1803. Commissioner Gilliland seconded. Motion carried with the vote being as follows:

Yea: Mayor Johnson, Commissioners Hosie, Lanoue, Gilliland and Jindra.

Nay: None

MAYOR/COMMISSIONER  
COMMENTS AND REPORTS

City Manager Skiles told the commission that he has checked on adding two (2) microphones to the Commission Table. The mixing board is maxed out at the current 3 microphones. The cost would be \$1,000.00 for a new mixing board and the two (2) microphones.

Mr. Skiles said he has spoken with the County Commissioners regarding the Plum Road Dam Project. If the dam is moved south of the road there will be 15 acres of watershed that would be lost. The County has no preference as to dam location and chooses, at this time, not to participant in the cost of the dam. Commissioner Hosie asked if the City needed to get a written agreement from the County stating that it is alright for the City to construct a dam on Plum Road? Mr. Skiles said he thought that would be a good idea.

Commissioner Gilliland made a motion to direct the City Manager to pursue with the County, to build the dam on the Plum Road Right of Way. Commissioner Hosie seconded. Motion carried with the vote being as follows:

Yea: Mayor Johnson, Commissioners Hosie, Lanoue, Gilliland and Jindra.

Nay: None

Mayor Johnson asked for clarification on the time line for the dam project. Mr. Skiles stated that Frank Mercurio had indicated that it was 3 years from design to completion.

Commissioner Hosie stated he would like to see the City have a spring clean-up. Mr. Copple stated there is one scheduled for April 7<sup>th</sup> thru April 11<sup>th</sup>.

Commissioner Lanoue asked about the penalty and interest on the water connection fee. Finance Director Ruby Maline stated she had not heard anything regarding the penalty and interest. Commissioner Lanoue also asked about the workman's compensation being posted twice. Mrs. Maline stated that she will be doing a reversal entry.

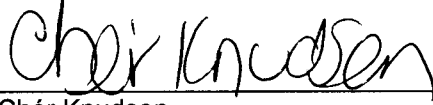
Mayor Johnson asked if the commission and the library will be receiving a copy of the revised minutes that were amended. Mr. Skiles stated that they would be receiving them.

STAFF COMMENTS

Ruby Maline gave an update on the applications for property tax exemption. She has received notification from the state. They have approved the request for exemption for nine (9) of ten (10) properties. The tenth property is still in review.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 5, 2008, cont'd**

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



Chér Knudsen  
Interim City Clerk

(seal)

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**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 19, 2008)Amended**

The governing body met in regular session on Wednesday, March 19, 2008 at 5:30 p.m. in the City Commission Room at City Hall, the following members being present and participating, to wit: Commissioners Johnson, Lanoue, Gilliland and Hosie.

Absent: Jindra.

Other Officers: City Manager Skiles, City Attorney Uri, Interim City Clerk Knudsen.

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

Visitors: Jessica LeDuc, Toby Nosker, L. Dean Thompson, Sara Hicks, Renee Hubert, Danny Parker, Ron Copple, Larry Eubanks, Jason Grogan, Steve Wetter, John F. Davis, Jim Ganson, Bruno Rehbein, Kirk Lowell, Don Dean, Sonia DeRusseau, Roy Reif, Larry Remmenga, Marvin Copple, Ted Collins, Cathy Feriend, Janet Lowell, Diane McNichols, Tom Gennette, Susie Haver.

Rev. L. Dean Thompson, Trinity United Methodist Church, provided the invocation.

Mayor Johnson asked if there were any changes to the agenda. City Manager Skiles asked to add item B under New Business; Airport Master Plan update agreement. Item C under New Business; Gift of Land. Commissioner Hosie moved to approve the agenda. Commissioner Gilliland seconded. Motion carried.

**APPROVAL OF MINUTES**

Commissioner Gilliland moved to approve the minutes of the March 5, 2008 regular meeting. Commissioner Hosie seconded. Motion carried.

**Appropriation Ordinance #5**

**APPROVED**

Commissioner Lanoue asked if she could have written copies of the other commissioner's questions.

Commissioner Lanoue moved to approve Appropriation Ordinance #5 with the following changes: reclassifying Babe Houser Motor in the amount of \$953.34 to 222 and the Radio Shack for \$43.87 from 601 to 721 and \$7,909.37 in a separate area until the cost allocation can be brought back so we don't jeopardize our funding from the state. During discussion Commissioner Lanoue stated to strike out the Radio Shack transfer. The motion died due to lack of a second.

Commissioner Gilliland made a motion to approve Appropriation Ordinance #5 as is. Commissioner Hosie seconded. Motion carried with the vote being as follows:

Yea: Mayor Johnson, Commissioners Gilliland, and Hosie.

Nay: Lanoue

**PUBLIC COMMENTS:**

Cathy Feriend interim director for the Cloud County Resource Center and Club 81 Director spoke to the Commission. She requested that the funds in the amount of \$12,000 the commission had approved be released.

Roy Reif spoke to the commission regarding the South Flood Dam Control Project. He stated he would encourage the commission to moving it up on the agenda. Grant money is available for dam projects but usually after a disaster. If you wait until after a disaster then its too late, like buying a life vest after you drown.

Roy Reif also asked the commission about the planters' downtown. Who will take ownership of them? With the Sampler Fest coming to town and all the people it will bring, we need to show off Concordia.

**NEW BUSINESS:**

**PLANNING COMMISSION APPOINTMENT**

**APPROVED**

Bruno Rehbein, Building Inspector, informed the commission that Mike Gallagher has filed an expression of interest to serve on the Planning Commission. Mr. Rehbein recommended appointing Mike Gallagher to the Planning Commission with his term ending on November 1, 2009. Commissioner Gilliland made a motion to appoint Mike Gallagher to the Planning Commission. Commissioner Lanoue second. Motion carried with the vote being as follows:

Yea: Mayor Johnson, Commissioners Lanoue, Gilliland and Hosie.

Nay: None

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 19, 2008, contd.(amended)**

AIRPORT MASTER PLAN

APPROVED

City Manager Mark Skiles presented to the commission a Consultant Agreement between the City and HWS Consulting Group Inc. This is for the Airport Master Plan; \$124,000 was budgeted for this project. Commissioner Gilliland made a motion to authorize Mayor Johnson to sign the agreement with HWS Consulting Group for the Airport Master Plan. Commissioner Hosie second. Motion carried with the vote being as follows:

Yea: Mayor Johnson, Commissioners Lanoue, Gilliland and Hosie.

Nay: None.

GIFT OF LAND

APPROVED

City Manager Skiles stated there is resident in town willing to give the City a parcel of land. This is an open lot west of Womack. There is 3.1 acres of land in this parcel. However there are some stipulations to this gift: Contract of Sale must be executed on or before April 4, 2008; A sign designating the property as "Rasure Field" that is at least 4 feet tall and 8 feet wide and erected on or before May 12, 2008. The City must maintain and repair the sign as needed. The field on the property shall be visible from Sixth Street and no wooden fences shall be constructed on the property that would lessen the view of the field, the City shall maintain the field, property and any fences that are constructed on the property. The City shall retain ownership of the property and insure that it is always for recreational purposes.

Following a discussion, Commissioner Hosie made a motion to accept the proposal for the Gift of Land. Commissioner Gilliland second. Motion carried with the vote being as follows:

Yea: Mayor Johnson, Commissioners Lanoue, Gilliland and Hosie.

Nay: None.

ORDINANCES:

ORDINANCE NO. 2008-2952: CONDITIONAL USE PERMIT

APPROVED

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CONCORDIA BY APPROVAL OF A CONDITIONAL USE PERMIT TO ESTABLISH A MINI-STORAGE, SELF-STORAGE FACILITY ON PROPERTY CURRENTLY ZONED "C-4" CENTRAL BUSINESS DISTRICT AND LOCATED AT 102 EAST 5<sup>TH</sup> STREET.

Following a discussion, Commissioner Gilliland made a motion to approve Ordinance No. 2008-2952. Commissioner Lanoue second. Motion passed with vote being as follows:

Yea: Mayor Johnson, Commissioners Hosie, Lanoue, and Gilliland.

Nay: None

ORDINANCE NO. 2008-2953: ZONING ADMINISTRATION POWERS AND DUTIES

APPROVED

AN ORDINANCE AMENDING ARTICLES 1, 3, 4, 6, 20, 24, 26 AND 27 OF THE ZONING REGULATIONS OF THE CITY OF CONCORDIA.

Following a discussion, Commissioner Lanoue made a motion to approve Ordinance No. 2008-2953. Commissioner Hosie second. Motion passed with the vote being as follows:

Yea: Mayor Johnson, Commissioners Hosie, Lanoue and Gilliland.

Nay: None

ORDINANCE NO. 2008-2954: TEMPORARY USES

APPROVED

AN ORDINANCE AMENDING SECTION 20-7, TEMPORARY USES, OF ARTICLE 20, SUPPLEMENTAL DISTRICT REGULATIONS OF THE ZONING REGULATIONS OF THE CITY OF CONCORDIA.

Following a discussion, Commissioner Hosie made a motion to approve Ordinance No. 2008-2954. Commissioner Gilliland second. Motion passed with the vote being as follows:

Yea: Mayor Johnson, Commissioners Hosie, Lanoue and Gilliland.

Nay: None

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 19, 2008, contd.(amended)**ORDINANCE NO. 2008-2955: UTILITY ORDINANCETABLED

AN ORDINANCE AMENDING THE POLICIES AND FEES OF THE CITY OF CONCORDIA WITH RESPECT TO CONNECTION TO THE CITY WATER SYSTEM AND AMENDING THE PROCEDURES FOR DISCONNECTION AND RECONNECTION OF WATER SERVICE; REPEALING SECTIONS 20-1, 20-2 AND 20-34 OF THE CONCORDIA CODE, AND AMENDING THE CONCORDIA CODE, BY ADDING NEW SECTIONS 20-1, 20-2 AND 20-34.

Following a discussion, Commissioner Gilliland moved that said Ordinance be tabled. The motion was seconded by Commissioner Lanoue. Motion to table said ordinance passed with the vote being as follows:

Yea: Mayor Johnson, Commissioners Hosie, Lanoue and Gilliland.

Nay: None

ORDINANCE NO. 2008-2955: CITY PARK CLOSING-SAMPLER FESTAPPROVED

AN ORDINANCE RESTRICTING ACCESS TO CITY PARK IN THE CITY OF CONCORDIA IN CONNECTION WITH THE KANSAS SAMPLER FESTIVAL; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 15-74.

Following a discussion, Commissioner Gilliland moved that said Ordinance be approved. The motion was seconded by Commissioner Hosie. Motion passed with the vote being as follows:

Yea: Mayor Johnson, Commissioners Hosie, Lanoue and Gilliland.

Nay: None

RESOLUTIONS:RESOLUTION NO. 2008-1804: POST FIRE DEBRIS REMOVAL: 833 E. 6<sup>th</sup>APPROVED

THE UNDERSIGNED, AS BUILDING INSPECTOR OF THE CITY OF CONCORDIA AND ENFORCING OFFICER PURSUANT TO K.S.A. 12-1750 ET SEQ. HEREBY NOTIFIES THE GOVERNING BODY THAT IN HIS OPINION THE FOLLOWING STRUCTURE IS UNSAFE AND DANGEROUS:

The premises located at 833 E. 6<sup>th</sup> Street, Concordia, Kansas.

Commissioner Gilliland made a motion to approve Resolution No. 2008-1804. Commissioner Lanoue seconded. Motion carried with the vote being as follows:

Yea: Mayor Johnson, Commissioners Hosie, Lanoue and Gilliland.

Nay: None

OLD BUSINESS:SLURRY SEAL EXTENSIONS

Ron Copple, Director of Public Works informed the commission that Vance Brothers, Inc. would be willing to add additional streets to the contract. His recommendation to the commission was to hold off on adding additional blocks to the contract until he can see how Vance Brothers, Inc does on the repair work from last year.

Commissioner Hosie stated that at the current contracted price he didn't think how we could not add the additional blocks. If we waited until next year the price could double.

Following a discussion Commissioner Hosie made a motion to approve the Slurry Seal Extension with Vance Brother, Inc. Commissioner Gilliland second. Motion carried with the vote being as follows:

Yea: Mayor Johnson, Commissioners Hosie, Lanoue and Gilliland.

Nay: None

MAYOR/COMMISSIONER  
COMMENTS AND REPORTS

City Manager Skiles gave a report on the following:

Number of cells phones used by City Employees.

Plum Road Dam status between the City and County.

Land sale; advertising, bid opening April 25<sup>th</sup> at 4:00.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 19, 2008, contd.(amended)**

Commissioner Hosie asked about the sharing of a computer tech between the City and County.

Commissioner Hosie asked about an Open House for the Airport.

Commissioner Gilliland commented on the grant funds for a flood control that was available for east side of town, back in the 1990's. When there had already been a flood.

Mayor Johnson had questions regarding maintenance of Plum Road.

Commissioner Lanoue had questions regarding the scoreboard from the complex that was sold on EBay.

Commissioner Lanoue had questions regarding the East Water Tower.

Commissioner Lanoue asked about the concession stand bids for the sports complex.

Mayor Johnson stated he would like a written explanation on the allocation of fuel.

Mayor Johnson asked about the house on 5<sup>th</sup> Street being demolished.

**STAFF COMMENTS**

Ron Copple gave the commission a copy of the ad for Spring Clean Up.

Ron Copple thanked Susie Haver and the Travel and Tourism for paying to update the bathrooms at the Airport Park.

Ruby Maline addressed the commission regarding the development agreement, tax exemption on some of the properties owned by the city, outstanding checks, KPERS, employee trainings, audit reports, software programs, the changes in funds and fuel allocations.

Chief Eubanks informed the commission regarding the Board of EMS. 3 years ago Concordia almost lost license. Inspection was done today, one of the best in the state.

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



Chér Knudsen  
Interim City Clerk

(seal)

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**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 2, 2008(Amended)**

The governing body met in regular session on Wednesday, April 2, 2008 at 5:30 p.m. in the City Commission Room at City Hall, the following members being present and participating, to wit: Commissioners Johnson, Lanoue, Gilliland, Jindra and Hosie.

Absent: None.

Other Officers: City Manager Skiles, City Attorney Uri, Interim City Clerk Knudsen.

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

Visitors: Jessica LeDuc, Toby Nosker, Steve Womack, Kirk Lowell, Don Lanoue, Ron Deal, Rev. Cory Shipley, Ron Copple, James Ganson, Ted Collins, Janet Eubanks, Danny Parker, Larry Remmenga, John Davis, Larry Eubanks, Bruno Rehbein and Stacey Crum.

Rev. Cory Shipley, Victory Faith Church, provided the invocation.

Mayor Johnson asked if there were any changes to the agenda. City Manager Skiles asked to add item D under New Business; Appointment to Library Board and under Study Session Item 2 Off-site work utility vehicle. Commissioner Hosie moved to approve the agenda. Commissioner Lanoue seconded. Motion carried.

APPROVAL OF MINUTES

Commissioner Lanoue stated that the minutes needed to be amended because under Resolution 2008-2953 and 2008-2954 Commissioner Jindra was absent so therefore did not vote Yea. Commissioner Hosie moved to approve the minutes of the March 20, 2008 regular meeting as amended. Commissioner Lanoue seconded. Motion carried.

Appropriation Ordinance #6

APPROVED

Ruby Maline, Ron Copple, Larry Eubanks and Danny Parker answered commissioner questions regarding appropriation ordinance #6.

Commissioner Lanoue stated "For the record that the penalty that was paid for the water protection fee should come out of fund 601 and not out of fund 802. She does not think that you can pay the penalty out of what the customer pays us". Ruby said that she would check into that question. Commissioner Lanoue also stated "For the record that we had made TIF payments but she didn't see a transfer from TIF to Bond and Interest to make that payment and this is required by our TIF Bond Ordinance. Ruby stated that it was because it was being paid out of TIF Bond fund". Commissioner Lanoue stated " For the record that she thinks the payment came out of the Bond and Interest Fund it came out of fund 301". Ruby stated that she would check into that also.

Commissioner Hosie made a motion to approve Appropriation Ordinance #6. Commissioner Gilliland seconded. Motion carried with the vote being as follows:

Yea: Mayor Johnson, Commissioners Gilliland, Lanoue and Hosie.

Nay: None

PROCLAMATION –  
FAIR HOUSING MONTH

READ

Mayor Johnson read a proclamation and declared April as Fair Housing Month.

PUBLIC COMMENTS:

There were none.

PUBLIC HEARING  
718 E. 5th

HELD

Mayor Johnson opened the public hearing at 5:50 pm for the dangerous structure at 718 E. 5th .

City Attorney Uri stated that the public hearing notice that was published stated that the hearing was at 5:00pm due to an error in his paperwork. City Attorney Uri was in the commission chambers at 5:00pm to see if anyone showed up and no one did. Both City Attorney Uri and Bruno Rehbein stated that the property at 718 E. 5<sup>th</sup> has been cleaned to everyone's approval and the money will be released to the property owner.

Mayor Johnson closed the public hearing at 5:52pm.



**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 2, 2008(Amended)**

**NEW BUSINESS:**

**LETTER OF AGREEMENT WITH CLOUD COUNTY**

**APPROVED**

City Manager Skiles presented the commission with a letter of agreement for the Mayor to sign stating that the City will be responsible for the construction of the road and guard rail for the Dam on Plum Road. Upon completion of the infra-structure the County will assume ownership of the road and guard rail. The City will be responsible for the brush that grows on the dam which will really be in our best interest because we want to protect the integrity of what we spent our money on. Mayor Johnson made a motion to approve the letter of agreement with Cloud County for the construction and maintenance for the dam on Plum Road for the Mayor to sign. Commissioner Hosie seconded. Motion carried with the vote as follows:

Yea: Mayor Johnson, Commissioners Lanoue, Jindra, Gilliland and Hosie.

Nay: None

**SAFETY HAZARDS – WATER TOWER**

**APPROVED**

Larry Remmenga addressed the commission about rehabbing the inside of the east water tower change order in the amount of \$8410.00. A valve was inoperable and needed to be cut out and now we have a single safety system that requires a person to be unhooked when crawling over the railing. We would like to cut out the rail and install a dual system that would allow a person to stay connected at all times and would allow us to be OSHA approved. Commissioner Gilliland made a motion to approve the change order for the water tower. Commissioner Hosie seconded. Motion carried with the vote being as follows:

Yea: Mayor Johnson, Commissioners Lanoue, Jindra, Gilliland and Hosie.

Nay: None.

**CEREAL MALT BEVERAGE LICENSE  
THUNDER STRIKEZ**

**APPROVED**

Chief of Police Danny Parker addressed the commission regarding the Cereal Malt Beverage License for Thunder Strikez. A background check was performed and there were no problems. Commissioner Jindra made a motion to approve the Cereal Malt Beverage License for Thunder Strikez. Commissioner Gilliland second. Motion carried with the vote being as follows:

Yea: Mayor Johnson, Commissioners Lanoue, Jindra, Gilliland and Hosie.

Nay: None

**APPOINTMENTS – LIBRARY BOARD**

**DAVID STROMMEN**

City Manager Skiles read a letter from the Frank Carlson Library stating the Library contacted the city and advised that Max Reeves has served two (2) terms on the Library Board will expire on April 30, 2008. Rev. David Strommen was contacted and indicated an interest and willingness to serve on the Library Board. A letter will be sent to Mr. Reeves thanking him for his years of serve on the Library Board and another one sent to Rev. Strommen welcoming him to the Library Board. Commissioner Gilliland moved to appoint Rev. David Strommen to a four (4) year term on the Library Board (May 1, 2008 through April 30, 2012). Commissioner Jindra seconded. Motion carried with the vote being as follows:

Yea: Mayor Johnson, Commissioners Lanoue, Jindra, Gilliland and Hosie.

Nay: None.

**RESOLUTIONS:**

**RESOLUTION NO: 2008-1805: POST FIRE DEBRIS REMOVAL: 718 E. 5th**

**APPROVED**

THE UNDERSIGNED, AS BUILDING INSPECTOR OF THE CITY OF CONCORDIA AND ENFORCING OFFICER PURSUANT TO K.S.A. 12-1750 ET SEQ. HEREBY NOTIFIES THE GOVERNING BODY THAT IN HIS OPINION THE FOLLOWING STRUCTURE IS NO LONGER UNSAFE AND DANGEROUS:

The premises located at 718 E. 5th Street, Concordia, Kansas. City Attorney Uri stated that the property has been cleaned up and to release the monies.

Commissioner Jindra made a motion to approve Resolution No. 2008-1804. Commissioner Lanoue seconded. Motion carried with the vote being as follows:

Yea: Mayor Johnson, Commissioners Hosie, Jindra, Lanoue and Gilliland.

Nay: None

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 2, 2008(Amended)**

**ORDINANCES:**

**ORDINANCE NO. 2008-2956: UTILITY ORDINANCE**

**APPROVED**

AN ORDINANCE AMENDING THE POLICIES AND FEES OF THE CITY OF CONCORDIA WITH RESPECT TO CONNECTION TO THE CITY WATER SYSTEM AND AMENDING THE PROCEDURES FOR DISCONNECTION AND RECONNECTION OF WATER SERVICE; REPEALING SECTIONS 20-1, 20-2 AND 20-34 OF THE CONCORDIA CODE, AND AMENDING THE CONCORDIA CODE, BY ADDING NEW SECTIONS 20-1, 20-2 AND 20-34.

Following a discussion, it was decided that the only change in the ordinance would be that the customer would not be charged a landfill fee if they requested their water to be shut off for a certain amount of time. "For the record Commissioner Lanoue did not agree with Section 20-34 letters A & C regarding the \$80.00 deposit and that the Director of Utilities deciding whether the disconnects should be done. The Utility Clerk is under the Finance Director and the Utility Director does not really know the financials of the utility billing and so the disconnects should lie under the Finance Director not the Director of Utilities". Commissioner Gilliland made a motion to approve Ordinance No. 2008-2956 with the following amendments taking out "and landfill fees" in paragraph E in Section 20-2. Commissioner Jindra seconded. Motion carried with the vote being as follows:

Yea: Mayor Johnson, Commissioners Hosie, Jindra and Gilliland.

Nay: Lanoue

**MANAGER'S REPORT**

City Manager Skiles updated the commission on the following:

Gift of Land from the Rasure's

Shady Lake property

Plum Road Dam

Airport Master Plan

The North Development

**MAYOR/COMMISSIONER  
COMMENTS AND REPORTS**

Commissioner Jindra would like City Manager Skiles and city to staff have a well thought out plan for the Rasure land before starting any work on the land. Also Commissioner Jindra informed the commission and staff that he would not be at the next commission meeting on April 16, 2008.

Commissioner Hosie asked Ron Copple if he had received the Grapple bucket. Ron stated that he had received it and that it was ready to be used for Spring Clean-up.

Commissioner Lanoue questioned whether we were paying for our use of the hangars at the airport and wanted to make sure that the journal entries are being done. And she also asked that we pay the monies owed to the Resource Council that they were here at the last meeting requesting. Commissioner Lanoue would also like a copy of all the minutes from all the different board meetings.

Mayor Johnson asked if all the monies that the city collects from renting hangars, etc at the airport go to the Capital Improvement fund. City Attorney Uri stated that the monies from the hangar's used by the city and the farm land do go to the Capital Improvement Fund but any other income does not.

**STAFF COMMENTS**


Ron Copple told the commission that his plan was to have the lobby at the airport opened by the end of this week.

Ron Copple also informed the commission that the dirt work at Reinwald field is complete but the fence still needs to be put up.

Chief Eubanks informed the commission that he is working on a Health and Fitness Program for the Fire Department.

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

(seal)

  
Chér Knudsen  
Interim City Clerk

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 16, 2008

The governing body met in regular session on April 16, 2008, at 5:30 p.m. in the City Commission Room in the City Hall, with the following members being present and participating, to wit: Commissioners Hosie, Gilliland and Lanoue and Mayor Johnson.

Absent: Commissioner Jindra.

Other Officers: City Manager Skiles, City Attorney Uri and Interim City Clerk Knudsen.

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

Visitors: Jessica LeDuc, Toby Nosker, Larry Remmenga, Janice Hattan, Hugh Hattan, Margaret Hattan, Don Lanoue, Steve Womack, Armand Naillieux, Esther Naillieux, Don Courville, Johnita Courville, Ima Jean Chavey, Rev. Cory Shipley, Melvin Kennedy, Margo Hosie, Marcia Johnson, Kirk Lowell, Ted Collins, Marvin Copple, Bob Maxon, Ron Copple, Mike Copple, Kaleb Copple, Danny Parker, Janet Eubanks, Mike Gallagher, Anita Wisdom, Eldon Wisdom, Joyce Robbins, LaVern Robbins, Ron Deal, Robin Hood, Larry Eubanks, Ross Doyen, George DeBauche, Greg Hattan, Dave Clemons, Glenda Clemons, Art Slaughter, James Ganson, John Davis, Stacey Crum, Renee Hubert, Tom Gennette and Jack Gould.

Mayor Johnson asked for changes to the agenda. City Manager Skiles added item E. Gift of Real Estate under New Business and an items B & C to the agenda under study session – B. Airport Advisory Board By-Laws and C. Engineers Estimate of Cost. Commissioner Hosie moved to approve the agenda. Commissioner Lanoue seconded. Motion carried with the vote being as follows: 4-0

Yea: Mayor Johnson, Commissioners Gilliland, Hosie and Lanoue

Nay: None

### ELECTION RESULTS

City Manager Skiles 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 1, 2008 to be as follows:

#### For City Commission:

Phil Gilliland	606
Gregory L. Hattan	720
Darrel Hosie	680

Following the reading of the election results, City Manager Skiles declared Darrel Hosie and Gregory L. Hattan to the Office of City Commissioner for three (3) year terms.

### OATH OF OFFICE

City Ordinance prescribes that elected officials take the Oath of Office before entering into the duties of his/her office. Interim City Clerk Knudsen administered the Oath of Office to Darrel Hosie and Gregory L. Hattan for three (3) year terms.

### PRESENTATION OF PLAQUE

City Manager Skiles presented Mayor Johnson with a plaque for serving as Mayor for the last year and he also presented a plaque to Phil Gilliland for his service to the community.

Mayor Johnson recessed for fifteen (20) minutes. Time 5:40 p.m.

Mayor Johnson reconvened the meeting at 6:00 p.m.

### ANNUAL COMMISSION REORGANIZATION

Commissioner Hosie moved that Commissioner Charles Johnson be elected to serve as Mayor for the ensuing year. For lack of a second the motion died. Commissioner Lanoue moved that Commissioner Hattan be elected to serve as Mayor for the ensuing year. Commissioner Johnson seconded. Motion carried 4-0. Commissioner Johnson moved that Commissioner Hosie be elected as Mayor Pro Tem for the next year. Commissioner Lanoue seconded. Motion carried 4-0.

### APPROVAL OF MINUTES

Commissioner Hosie moved to approve the minutes of the April 2, 2008 regular meeting as amended changing the name Reed under Appointments-Library Board to Reeves. Commissioner Lanoue seconded. Motion carried with the vote being as follows:

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 16, 2008 cont'd

Yea: Mayor Hattan, Commissioners Johnson, Lanoue and Hosie.  
Nay: None

APPROPRIATION ORDINANCE NO. 7 APPROVED

After discussing the following matters: Kansas Dept. of Revenue \$256.85 taken out at last meeting does need to be sent to state; the return of cash bonds from municipal court because the cases were being heard in District Court not City Court; the journal entry that needs to be made out of special projects for the Computer Technician.

Commissioner Hosie made a motion to approve Appropriation Ordinance #7. Commissioner Johnson seconded. Motion carried with the vote being as follows: 4-0

Yea: Mayor Hattan, Commissioners Johnson, Lanoue and Hosie.  
Nay: None

PROCLAMATION – ARBOR DAY

Mayor Hattan read a proclamation and declared April 25, 2008 as Arbor Day.

PUBLIC COMMENTS

There were none.

NEW BUSINESS:

CEREAL MALT BEVERAGE LICENSE-

The Cloud County Community College Foundation has requested the American Legion 76, Inc., 19<sup>th</sup> Hole to provide bar services for their Annual Scholarship Auction on April 19<sup>th</sup>, 2008 at the National Guard Armory. Chief Danny Parker informed the commission that there were no problems with the application.

Commissioner Johnson made a motion to allow the Cereal Malt Beverage License. Mayor Hattan seconded. Motion carried with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Lanoue and Hosie.  
Nay: None

BOARD OF BUILDING TRADES

Bruno Rehbein informed the commission that Charles Leckberg has expressed interest to serve on the Board of Building Trades. The Board has one vacated position from the general public position, and feels that Mr. Leckberg can fill this position. Mr. Rehbein recommended appointing Charles Leckberg to the Board of Building Trades.

Commissioner Hosie made a motion to approve the recommendation and appoint Charles Leckberg to the Board of Building Trades. Commissioner Lanoue seconded. Motion carried with the vote being as follows 4-0.

Yea: Mayor Hattan, Commissioners Johnson, Lanoue and Hosie.  
Nay: None

AIRPORT BY-LAWS

This item was removed and added to the Study Session.

TENNIS COURT RESURFACING

Ron Copple, Director of Public Works informed the commission that the city received three (3) proposals to resurface three (3) tennis courts, one in the City Park and two in Hood Park. The city has budgeted \$14,500.00 in 100-481-742. The proposals were as follows:

Mid-America Court Works	\$12,800.00
Riggs Recreation Equipment Inc.	\$13,185.00
Tennis Courts Unlimited	\$14,995.00

Mr. Copple recommended the proposal from Mid-America Court Works for \$12,800.00. Mayor Hattan made a motion to approve the proposal from Mid-America Court Works and authorize the City

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**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 16, 2008 cont'd**

Manager to sign the proposal. Commissioner Lanoue seconded. Motion carried with the vote being as follows: 4-0.

Yea: Mayor Hattan, Commissioners Johnson, Lanoue and Hosie.

Nay: None

**REAL ESTATE GIFT**

City Manager Skiles informed the Commission that the Rasure family has expressed an interest to gift the City the piece of property immediately west of Womack's and between 6<sup>th</sup> and 7<sup>th</sup> streets. Attorneys for both parties have been in conference and have come to an agreement on the terms of this gift.

Commissioner Johnson made a motion to have the Mayor sign the contract with the Rasure family. Commissioner Lanoue seconded. Motion carried with the vote being as follows: 4-0

Yea: Mayor Hattan, Commissioners Johnson, Lanoue and Hosie.

Nay: None

**PUBLIC HEARING**

Mayor Hattan opened the public hearing at 6:21p.m. regarding 630 W. 2<sup>nd</sup> Street. There were no comments. Mayor Hattan then closed the public hearing at 6:22p.m. Mayor Hattan made a motion to close the public hearing. Commissioner Hosie seconded. Motion carried with the vote being as follows: 4-0.

Yea: Mayor Hattan, Commissioners Hosie, Lanoue and Johnson.

Nay: None

**RESOLUTION NO. 2008-1806: POST FIRE DEBRIS REMOVAL: 630 W. 2nd**

**APPROVED**

THE UNDERSIGNED, AS BUILDING INSPECTOR OF THE CITY OF CONCORDIA AND ENFORCING OFFICER PURSUANT TO K.S.A. 12-1750 ET SEQ. HEREBY NOTIFIES THE GOVERNING BODY THAT IN HIS OPINION THE FOLLOWING STRUCTURE IS NO LONGER UNSAFE AND DANGEROUS:

The premises located at 630 W. 2nd Street, Concordia, Kansas. City Attorney Uri stated that the property has been cleaned up and to release the monies.

Commissioner Hosie made a motion to approve Resolution No. 2008-1806. Commissioner Lanoue seconded. Motion carried with the vote being as follows: 4-0

Yea: Mayor Hattan, Commissioners Hosie, Lanoue and Johnson.

Nay: None

**ORDINANCES:**

**ORDINANCE NO. 2008-2957: ZONING CHANGE – 2134 REPUBLICAN**

**APPROVED**

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.

Building Inspector Bruno Rehbein addressed the Commission about the rezoning of the property at 2134 Republican, the applicants are asking for a zoning change from residential to public use district. The Planning Commission had recommended that this rezoning be approved by the City Commission.

Commissioner Lanoue made a motion to accept Ordinance 2008-2957. Commissioner Hosie seconded. Motion carried with the vote being as follows:

Yea: Mayor Hattan, Commissioners Hosie, Johnson and Lanoue

Nay: None

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 16, 2008 cont'd

MAYOR/COMMISSIONER COMMENTS AND REPORTS

City Manager Skiles addressed the commission on the Dam Project and informed the commission he is in contact with all parties involved. He also informed the commission about the LMI (Low to Moderate Income) Survey that is currently underway.

Mayor/Commissioner Comments

Commissioner Hosie stated that he would like to schedule a long range planning session for the Commission. Mayor Hattan agreed with him but he felt that they should wait to set a date until Commissioner Jindra is present. Commissioner Hosie also asked about the platform that the Commission sits at. He would like to see it remodeled so that the Commission is on the same level as the public.

Mayor Hattan stated that he preferred it elevated because he can see the room better, he also commented that the same platform is used for court and it may help with the courtroom atmosphere.

Commissioner Lanoue stated that there should be files about how much it would cost as staff had looked into this a few years ago, she recalled that it was going to cost about \$10,000 at that time. She also thinks that if we are going to look into doing this project that staff should be included to set behind the platform. She also asked about the transfer to the airport fund, airport advisory minutes from their last meeting and the health insurance meeting on April 21, 2008. Commissioner Lanoue asked for a list of all employees.

Commissioner Johnson stated that he would like to get rid of the platform all together. He also asked again about having the school tape the meetings and putting them on the cable channel. Commissioner Johnson asked for a written explanation where the monies come and go from the Kansas Department of Transportation. Ruby said that she would be glad to go over this in staff comments. Commissioner Johnson also asked staff to look at leak in the roof in the North West corner of the building in the hallway and questioned what could be done about ferrell cats and dogs?

Mayor Hattan thanked all of the Department Heads for their time and information that was given to him as he is coming on as a new Commissioner and is trying to get up to speed.

STAFF COMMENTS

Ron Copple, Director of Public works told the commission that the Spring Clean Up is over and gave them some of the numbers of thing that were picked up: 889 tires, 78 w/rims, 34 loads to the demo pit equaling 18 ton, 8 loads of metal and 81 loads of tree limbs. He thanked the Commission for the grapple fork. It worked very well and saved them a lot of time.


Ruby Maline, Director of Finance presented a worksheet that showed, in detail the changes that she has made to the City Funds.

Fire Chief, Larry Eubanks reported that on April 5, 2008 they had a farm excruciation class at the county fair grounds. Approximately 30 people from around the State of Kansas attended. He also contacted the Red Cross they donated 40 cots, blankets, heater meals and comfort care packets that could be used in case of an emergency.

Larry Remmenga, Director of Utilities stated that the rehabbing of the water tower should be completed by Friday, April 18, 2008.

Danny Parker, Chief of Police responded to Commissioner Johnson's question about animals informing them that they have a trap and can catch these animals the problem lies in that if we catch them we have to euthanize them and it cost \$15.00 each. The City does have a shelter.

There being no further business, Commissioner Johnson moved to adjourn. Commissioner Lanoue seconded. Motion carried. 4-0.

  
Cher Knudsen  
Interim City Clerk

(Seal)

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 7, 2008**

The governing body met in regular session on May 7, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hosie, Jindra, Johnson, Lanoue and Mayor Hattan.

Absent: None

Other Officers: City Manager Skiles, City Attorney Uri and Interim City Clerk Knudsen.

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

Visitors: Jessica LeDuc, Toby Nosker, Larry Remmenga, Don Lanoue, Steve Womack, Kirk Lowell, Ted Collins, Marvin Copple, Ron Copple, Bruno Rehbein, Susan Retter, Armand Balthazor, Richard Eakins, Jim Wahlmeire, Danny Parker, Janet Eubanks, Ron Deal, Larry Eubanks, James Ganson, John Davis, Jack Gould.

Upon a request by Mayor Hattan for changes to the agenda, City Manager Skiles added item H, FAA Grant Agreement, under New Business and item G, Wisdom Land and Quitclaim Deed, under Resolutions – No. 2008-1813. Mayor Hattan suggested that Executive Session be moved to follow Staff Comments.

APPROVAL OF MINUTES

APPROVED

Commissioner Hosie moved to approve the minutes of the April 16, 2008 regular meeting. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue.  
Nay: None

APPROPRIATION ORDINANCE NO. #8

APPROVED

Upon discussion, Commissioner Hosie moved to approve Appropriation Ordinance #8. The motion died for lack of a second. Commissioner Lanoue made a motion to approve Appropriation Ordinance #8 with the following amendment: When Ruby Maline, Director of Finance, is done posting the journal entry for \$648.00 that was in 221 and needs to be in 208 and \$2531.86 that was coded to 222 and needs to be in 221 that she be provided a copy of the entries. Mayor Hattan seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue.  
Nay: None

PROCLAMATION – BUDDY POPPY WEEK

Mayor Hattan proclaimed the week of May 12 May 17, 2008 as Buddy Poppy Week

PROCLAMATION – MOTORCYCLE AWARENESS MONTH

Janet Eubank's read a statement in regards to motorcycle safety. Mayor Hattan proclaimed May as Motorcycle Awareness Month.

PROCLAMATION – MENTAL HEALTH MONTH

Mayor Hattan proclaimed May as Good Mental Health Month.

PUBLIC COMMENTS

Armand Balthazor voiced his concern for the nuisance situations that exist in the community and expressed his pleasure that the issue was an agenda item for this meeting.

NEW BUSINESS:

FUEL MASTER CARD READER

APPROVED

Ron Copple, Director of Public Works addressed the Commission in regards to purchasing a fuel card reader for the city shop. It would be used for all department to fuel there vehicles and the fuel card would stay with the vehicle not the person. Ron would also ask about getting a card for the bulk tanks to fuel mowers, gas cans, etc. The amount to purchase the card reader is approximately \$8,798.93 and that includes two (2) options. One being a printer and the other is a 110 volt pump with meter. Commissioner Johnson made a motion to approve \$8,298.00 to purchase the fuel master card reader. Commissioner Lanoue seconded stating that is the amount without the two (2) options. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue.  
Nay: None

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 7, 2008 cont'd

VEHICLE PURCHASE – FIRE DEPARTMENT

APPROVED

Larry Eubanks, Fire Chief addressed the Commission in regards to purchasing a 2002 GMC Envoy from Babe House Motor Company. The vehicle will be used for travel to training and for equipment purposes. Commissioner Hosie made a motion to accept the bid from Babe Houser Motor Company in the amount of \$5,950.00 for the 2002 GMC Envoy. Commissioner Jindra seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue  
Nay: None

CONVEY'S AND WARRANTS TO MSMT, LLC

DEFERRED ACTION

City Manager Skiles explained that this is in regards to installation of a public sidewalk at the site of the proposed Taco John's. Skiles stated that the City is giving 8' of property to MSMT, LLC in exchange for an 8' easement from Taco John's. Skiles said that this would be explained in more detail in Resolution #2008-1008.

PETITION – CURB & GUTTER PROJECT

ODELLA YAKSICH – 715 ARCHER  
WENDELL WILSON TRUST – 717 2<sup>nd</sup> AVENUE  
DAVID & LISA MIKESELL – 404 W. 9<sup>TH</sup>  
WINSTON & JANET SHRADER – 418 W. 14TH

ACCEPTED

Ron Copple, Director of Public Works, reported that he had received four (4) signed petitions for the curb and gutter replacement project. Copple presented engineer's estimates which detail the total cost of the project.

Mayor Hattan moved to accept all four (4) curb and gutter petitions from Odella Yaksich, Wendell Wilson Trust, David & Lisa Mikesell and Winston & Janet Shrader. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue  
Nay: None

FAA GRANT AGREEMENT

APPROVED

City Manager Skiles presented an Agreement indicating the City portion of the Master Plan Update cost, \$6,165.00. Commissioner Johnson made a motion to authorize Mayor Hattan and City Attorney Uri to sign the FAA grant agreement. Commissioner Hosie seconded. Motion carried with the vote being as follows: 5-0.

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue  
Nay: None

PUBLIC HEARING – 833 E. 6TH

Mayor Hattan opened the public hearing at 6:33 p.m. Bruno Rehbein, Building Inspector informed the Commission that the owner had requested 30 additional days. Their intentions are to demolish the structure as stated in Resolution #2008-1807. Being no other comments, Mayor Hattan made a motion to close the public hearing at 6:35 p.m. Commissioner Hosie seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue  
Nay: None

RESOLUTION NO: 2008-1807: POST FIRE DEBRIS REMOVAL: 833 E. 6th

APPROVED

THE UNDERSIGNED, AS BUILDING INSPECTOR OF THE CITY OF CONCORDIA AND ENFORCING OFFICER PURSUANT TO K.S.A. 12-1750 ET SEQ. HEREBY NOTIFIES THE GOVERNING BODY THAT IN HIS OPINION THE FOLLOWING STRUCTURE IS NO LONGER UNSAFE AND DANGEROUS:

The owner of the premises, located at 833 E. 6<sup>th</sup> Street, Concordia, Kansas requested that Bruno Rehbein, Building Inspector, speak on their behalf and requested a 30 day extension to demolish said structure.

Commissioner Johnson made a motion to approve Resolution No. 2008-1807 granting a 30 day extension. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue.  
Nay: None



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MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 7, 2008 cont'd

RESOLUTION 2008-1808 EASEMENT FROM T & C ENTERPRISES

APPROVED

WHEREAS, THE GOVERNING BODY FINDS THAT THE BEST INTERESTS OF THE CITY IS SERVED BY ACCEPTING THE ATTACHED EASEMENT FROM T & C ENTERPRISES, LLC, TO PROVIDE FOR PUBIC ACCESS TO ADJOINING CITY PROPERTY, AND TO CONVEY AN EQUIVALENT TRACT TO MSMT, LLC IN ORDER TO ACCOMMODATE THE TRANSACTION.

City Manager Skiles informed the Commission that this Resolution is stating what was explained in the New Business, item C. Mayor Hattan made a motion to accept the deeding of land to MSMT, LLC. Commissioner Hosie seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue  
Nay: None

RESOLUTION 2008-1809

CURB & GUTTER REPAIR –  
ODELLA YAKSICH – 715 ARCHER

APPROVED

RESOLUTION 2008-1810

CURB & GUTTER REPAIR –  
WENDELL WILSON TRUST – 717 2<sup>ND</sup> AVE

APPROVED

RESOLUTION 2008-1811

CURB & GUTTER REPAIR –  
DAVID & LISA MIKESELL – 404 W. 9<sup>TH</sup>

APPROVED

RESOLUTION 2008-1812

CURB & GUTTER REPAIR –  
WINSTON & JANET SHRADER – 418 W. 14<sup>TH</sup>

APPROVED

Thereupon, there was presented a Resolution entitled:

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

Commissioner Hosie made a motion to approve Resolutions 2008-1809, 2008-1810, 2008-1811 and 2008-1813. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue  
Nay: None

RESOLUTION 2008-1813 SALE OF REAL ESTATE

APPROVED

**WHEREAS, THE CITY OFFERED FOR SALE BY SEALED BID THE FOLLOWING REAL ESTATE:**

**LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6), THIRTEEN (13), FOURTEEN (14), FIFTEEN (15), SIXTEEN (16), SEVENTEEN (17) AND EIGHTEEN (18) IN BLOCK EIGHTEEN (18) IN THE CITY OF CONCORDIA, CLOUD COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF.**

City Manager Skiles informed the Commission that Dale & Linda Simpson made a bid of \$2,525.25. They have been advised that there are \$8000.00 in special assessments against this property. Attorney Uri commented that the Simpson's have been advised of the special assessments by phone call and letter. He also indicated that it would be permissible for the Commission to authorize the City Manager to sign the quitclaim deed.

Commissioner Johnson made a motion to approve the resolution. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue  
Nay: None

ORDINANCES:

ORDINANCE NO. 2008-2958:

DELEGATING NUISANCE ENFORCEMENT TO CITY MANAGER

APPROVED

**AN ORDINANCE DESIGNATING THE CITY MANAGER TO ACT ON BEHALF OF THE GOVERNING BODY WITH RESPECT TO NUISANCE ABATEMENT; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 13-4.**

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 7, 2008 cont'd**

Larry Uri, City Attorney explained the current nuisance abatement procedure to the Commission. Empowering the City Manager should reduce the amount of time currently associated with the process.

Commissioner Johnson made a motion to approve Ordinance 2008-2958. Mayor Hattan seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue  
Nay: None

**MANAGERS REPORT**

There were no comments.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson voiced support for a "full blown" audit of the City's financials so that we could have a base line of where we are at financially. Manager Skiles stated that Commissioner Johnson was referring to a "Performance Audit" and he would seek a list of firms qualified to perform such an audit. Skiles went on to state that one firm had advised that an audit of such depth would cost a minimum of \$12,000 and a maximum of between \$15,000 and \$20,000.

Commissioner Johnson inquired as to the status of the Fire Fighter/EMT'S physical fitness program. Fire Chief Eubanks reported has been working with Dr. Jordan and Ted Schmitz of Cloud County Community College to formalize a program. Commissioner Johnson questioned Danny Parker, Chief of Police with respect to communications with the Sheriff's Department. Danny Parker stated that the Police and the Sheriff's Department are not on the same frequency.

Mayor Hattan inquired as to whether Representative Tiahart had been contacted regarding funding for the Dam project. City Manager Skiles reported that he had not, but would do so in the near future.

The Commissioners thanked the City staff for all of their hard work preparing for the Kansas Sampler Fest. They also inquired as to whether City staff reported nuisances as they came across them in their daily routines.

Commissioner Hosie informed the staff that he will not be here for the Commission meeting of May 21, 2008. He also asked the staff to continue to look into the cost of removing the elevated platform in the commission room.

**STAFF COMMENTS**

Larry Remmenga, Director of Utilities updated the commission on the rehabbing of the east water tower. He and the City Manager both climbed the water tower to inspect the job and determined that it was unacceptable. The City has been in contact with the contracted company, McGuire Iron. McGuire Iron has stated their desire to come back and do a spot patch repair. Remmenga stated that this may not be acceptable to the City. Remmenga stated that one option was for them to return in the Fall of '08 and re-do the whole project. The City can go back on McGuire Iron's performance bond.

Ruby Maline, Finance Director asked the Commission for the authority to void all of the old outstanding check's that are under \$100.00 and over two years of age.

Commissioner Johnson made a motion to allow the Finance Director to void all of the outstanding checks that are under \$100.00 and over two years of age. Commissioner Hosie seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue  
Nay: None

Maline provided the Commission with a list of outstanding checks for over \$100.00 and asked that she be authorized to void these checks as well. Maline went on to report that she is re-issuing a check, still outstanding, to a former employee. The employee stated that he had never received the check.

Mayor Hattan made a motion to allow the Finance Director to remove the checks from the outstanding check list. Commissioner Hosie seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue  
Nay: None

Maline reported that she had received notification from the Board of Tax Appeals that another parcel had been determined to be property tax exempt. Of the (16) sixteen properties that she submitted, 12 were approved. She also stated that at a prior Commission meeting, Commissioner Lanoue had questioned her decision to combine the Central Garage Fund and the Inventory Revolving Fund, stating that this would jeopardize the Special City/County Highway Funds that the City receives each year. At

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 7, 2008 cont'd**

that same meeting, Commissioner Johnson requested documentation that this, jeopardizing of monies, would not happen. Maline provided the Commission with that documentation.

Larry Eubanks, Fire Chief, repeated the importance of the LMI surveys and requested that they be completed and returned to the City. He stated that approximately 40.5% of the surveys had been returned.

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

At this time Commissioner Johnson moved that the Commission recess into executive session for (30) thirty minutes for Preliminary Discussion with Respect to Acquisition of Real Estate. Mayor Hattan seconded. Motion to include: Mark Skiles, Larry Uri, Susan Retter, Brian Donovan and Jim Wahlmeier. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

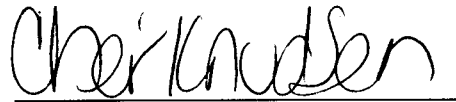
Time: 7:47 p.m.

The commission reconvened at 8:17 p.m.

Mayor Hattan asked if there was any action to be taken.

Mayor Hattan stated that there will be a study session following the adjournment of the meeting.

There being no further business, Commissioner Lanoue moved to adjourn. Mayor Hattan seconded. Motion carried 5-0.



Chér Knudsen  
Interim City Clerk

(Seal)

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## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 21, 2008

The governing body met in regular session on May 21, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Jindra, Johnson, Lanoue and Mayor Hattan.

Absent: Commissioner Hosie

Other Officers: City Manager Skiles, City Attorney Uri and Interim City Clerk Knudsen.

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

Pastor John States gave the invocation followed by the citing of the Pledge of an Allegiance.

Visitors: Jessica LeDuc, Toby Nosker, Larry Remmenga, Don Lanoue, Steve Womack, Kirk Lowell, Ted Collins, Marvin Copple, Ron Copple, Bruno Rehbein, Armand Balthazor, Danny Parker, Janet Eubanks, Ron Deal, Larry Eubanks, John Davis, Larry Bergstrom, Denise de Rochefort-Reynolds, John States, Sara Hicks, Tim Stangel and Stacey Crum.

Upon a request by Mayor Hattan for changes to the agenda, City Manager Skiles added a new #7 Resolution 2008-1814 Codes and Procedures and under Study Session add item #4 Budget.

### APPROVAL OF MINUTES

APPROVED

Mayor Hattan moved to approve the minutes of the May 7, 2008 regular meeting. Commissioner Johnson seconded. Motion carried 4-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, and Lanoue.  
Nay: None

### APPROPRIATION ORDINANCE NO. #9

APPROVED

Upon discussion, City Manager Skiles informed the commission that they would be receiving a copy of all the receipts generated by the City debit cards. Mayor Hattan made a motion to approve appropriation ordinance #9. Commissioner Lanoue seconded. Motion carried 4-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, and Lanoue.  
Nay: None

### PROCLAMATION – EMERGENCY MEDICAL SERVICES WEEK

Captain Tim Stangel and Fire Chief Larry Eubanks presented the Commission with a proclamation for Emergency Medical Services Week. Mayor Hattan read the proclamation and proclaimed the week of May 16-22, 2008 as Emergency Medical Services Week.

### PUBLIC COMMENTS

Denise de Rochefort-Reynolds discussed the summer library program. This year's theme is "Catch the Reading Bug". It begins May 22 and continues through the middle of July. Currently 100+ children have registered for the program.

Armand Balthazor voiced his concern for the nuisance situations that exist in the City. City Manager Skiles stated that actions are being taken to address this subject.

### ORDINANCES:

#### ORDINANCE NO. 2008-2959: WORK UTILITY VEHICLE

APPROVED

**AN ORDINANCE AUTHORIZING THE OPERATION OF WORK-SITE UTILITY VEHICLES ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS; PROHIBITING THE OPERATION OF GOLF CARTS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, PROVIDING FOR RELATED MATTERS INCLUDING PENALTIES FOR VIOLATION THEREOF; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 19-9.**

Larry Uri, City Attorney explained the details that are outlined in the above ordinance and stressed that golf carts are not being authorized by this ordinance.

Commissioner Johnson made a motion to approve Ordinance 2008-2959. Commissioner Lanoue seconded. Motion carried 4-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, and Lanoue  
Nay: None

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 7, 2008 cont'd

RESOLUTIONS

RESOLUTION 2008-1814 CODES AND PROCEDURES

A RESOLUTION ESTABLISHING A CODE OF PROCEDURES FOR THE CONDUCT OF CITY COMMISSION MEETINGS AND REPEALING RESOLUTION #2004-1556.

Larry Uri, City Attorney explained the changes and update that were made in this resolution. Commissioner Johnson stated that he would like the wording changed in section 10 from "support" to "explanatory". Mayor Hattan made a motion to approve the resolution as amended. Commissioner Lanoue seconded. Motion carried 4-0 with the vote being as followed:

Yea: Mayor Hattan, Commissioners Johnson, Jindra and Lanoue

Nay: None

MANAGER'S REPORT

Skiles "Thanked" the citizens of Concordia for the LMI surveys that have been returned (61.4%).

Skiles informed Armand Balthazor that the issue of nuisances and dangerous structures is being addressed.

Skiles stated that memorials placed at the cemetery will be removed 2 (two) weeks after Memorial Day.

Skiles informed the commission that he does have minutes for the meeting with the Corps of Engineers but, he has not had time to review them. As soon as they are complete he will provide each of the Commissioners, and other interested parties, a copy.

In regards to the "performance audit", Skiles informed the Commission that he has contacted 4 firms. He expects to continue conversations with them next week. He will keep the Commission informed as this project progresses.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Lanoue stated that she feels that the Commission should talk to the 4 (four) firms about the audit and let them know what the commission is looking for and expects from an audit. She also wanted to know why the new pool fees were not brought before the commission for them to approve. Skiles stated that he was not aware that this needed to be done. He thought that this was an issue that he could do on his own and not bother the commission with a small thing like raising pool rates. Commissioner Lanoue also felt like they should not have done away with the ten ticket pass for the pool. Skiles responded that he would take the ten ticket pass under advisement. Lanoue thanked the EMT's for the hard work that they do everyday.

Mayor Hattan agreed with Commissioner Lanoue on the performance audit that it should be up to the Commission on what they want included in the audit. He knows that in the past the Commission has approved the pool fees but doesn't feel like it is that big of an issue to revoke the things that were done this year. He would also like to see the ten ticket pass become available again.

Commissioner Jindra had nothing to report or comment on.

Commissioner Johnson again asked about re-publishing the 1<sup>st</sup> quarter report as here were errors and the numbers don't match in the first publication. Ruby Maline, Director of Finance stated that she does not intend to re-publish the report. The state requires that you publish a quarterly report and that was done. Ruby also got an electronic signature to the blade so that it can be put on the reports. The adjustments were made because of encumbrances that were made after 2/1/08 (The date by which the '08 4<sup>th</sup> Quarter Report must be published). Commissioner Johnson asked Ron Copple, Director of Public Works if it was common practice to leave the hot oil truck unattended while employees are on break. He also informed the commission and staff that he would not be attending the July 2, 2008 meeting.

Mayor Hattan feels we should publish a new corrected quarterly report as it is important to the people who look at it. We need to do the best that we can to get the correct information out there.

Skiles assured the commission that they would get a list of adjustments that were made and explanations for them also.

STAFF COMMENTS

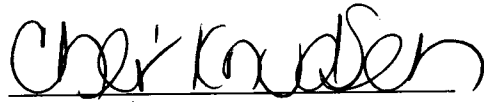
Ron Copple, Director of Public Works informed the Commission that the reason the hot-oil truck was left running on the street was because it takes time, and fuel, to get the oil hot. It is not feasible to shut the machine down for breaks and/or lunch. Based upon the safety concern, it will taken to the shop rather than leave it unattended.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 7, 2008 cont'd

Ruby Maline, Director of Finance addressed the refund of motor vehicle fuel tax. She presented the Commission with information, handouts, detailing her findings. According to the Kansas Department of Revenue (KDOR), fire trucks are the only vehicles that are tax exempt. She could find no evidence that the City had ever applied for a refund of the "road tax" for the City's off-road vehicles (grader, backhoe). KDOR informed her that this "refund" had never existed. Commissioner Lanoue commented that she was referring to the Federal portion of the fuel tax. Maline commented that she will look into this.

Mayor Hattan stated that there will be a study session following the adjournment of the meeting.

There being no further business, Commissioner Lanoue moved to adjourn. Mayor Hattan seconded. Motion carried 4-0.



Chér Knudsen  
Interim City Clerk

(Seal)

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 4, 2008**

The governing body met in regular session on June 4, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Jindra, Johnson, Lanoue, Hosie and Mayor Hattan.

Absent: none

Other Officers: City Manager Skiles, City Attorney Uri and Interim City Clerk Knudsen.

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

There was no invocation.

Visitors: Jessica LeDuc, Toby Nosker, Jim Winter, Don Lanoue, Ted Collins, Ron Copple, Marvin Copple, Armand Balthazor, Danny Parker, Janet Eubanks, Larry Remmenga, Larry Eubanks, Ron Deal, John Davis, Larry Bergstrom, Kirk Lowell.

Mayor Hattan asked if there were any changes to the agenda. City Manager Skiles asked to add 3 items under the Study Session; demolition program, nuisance abatement and goal setting.

APPROVAL OF MINUTES

APPROVED

Mayor Hattan moved to approve the minutes of the May 21, 2008 regular meeting. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue.  
Nay: None

APPROPRIATION ORDINANCE NO. #10

APPROVED

Upon discussion, of several items Mayor Hattan requested Finance Director, Ruby Maline to research why ck# 49038 was voided and then another check re-issued for the same amount and the totals on the appropriation pages did not match.

Mayor Hattan made a motion to approve appropriation ordinance #10. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue.  
Nay: None

PUBLIC COMMENTS

Armand Balthazor showed the Commission pictures of houses in Concordia that are dangerous and something needs to be done. He suggested contacting landowners and possibly raising their taxes. Safety is the biggest concern, if children get around some of these houses they could get hurt.

Jim Winter addressed the Commission regarding the 20<sup>th</sup> Street Dam project. He stated Monday after the rain, the conduit still running through. He felt the Commission should continue to move forward with the dam.

RESOLUTIONS:

RESOLUTION 2008- CREDIT CARDS

NOT APPROVED

WHEREAS, THE GOVERNING BODY FINDS THAT THE BEST INTEREST OF THE CITY ARE SERVED BY AUTHORIZING THE CITY MANAGER ESTABLISH CREDIT CARD ACCOUNTS FOR THE USE OF THE CITY EMPLOYEES IN CONNECTION WITH CITY BUSINESS:

City Manager Skiles stated the use of debits cards has been a subject of discussion for some time and felt that credit/purchasing cards would be an improvement. Both are more secure than debit cards and have tracking capabilities.

Commissioner Lanoue agreed that the use of credit cards would be better than debit cards; however, she would like to see a policy on the use of the credit cards.

Commissioner Hosie agreed that credit cards would be safer than the debit cards. He thought the city should start using the credit cards now under good faith and approve a policy at the next meeting.

Mayor Hattan also agreed that credit cards would be safer, but would also like to see a policy in place prior to authorization.

Commissioner Johnson stated he would like to see the policy state the maximum number of cards the city would have. He also agreed with having employees turn in receipts.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 4, 2008, cont'd**

City Manager Skiles stated that a policy would be formulated and presented.

Mayor Hattan made a motion to table the resolution until a policy was in place. Commissioner Lanoue second. Motion carried 4-1 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra and Lanoue

Nay: Hosie

Said Resolution 2008-1815 was tabled.

**MANAGER'S REPORT**

City Manager reported on the leak in the roof at City Hall.

Golf Carts: Never have been legal in the State of Kansas on public thoroughfares.

Employee Oath: According to State Statute all city employees must take an oath.

Dam Project: The Corps of Engineers is preparing a press release that will be made available to media as soon as it is in hand.

Performance Audit: City Manager Skiles stated he has contacted 4 firms whom have all requested additional time to discuss the issue.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Hosie stated that he would like to have staff get the necessary paperwork ready to initiate the research on the performance audit. City Attorney, Larry Uri said that it could be done in the form of a resolution if the Commission so wished. Commissioner Hosie made a motion to have City Attorney Uri form a resolution to initiate the starting of the performance audit paperwork. Commissioner Jindra seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

Commissioner Jindra referred to a letter that was sent to Jerry Moran in regards to the Dam Project that was sent to Moran by the commission in February 22, 2005. Commissioner Jindra also requested that this letter be entered as an official part of the minutes. (See attached).

Questions were also asked in regards to the airport master plan, the sign south of town, how the pool was going this year, and who is responsible for the land at the Everton site.

Director of Utilities, Larry Remmenga, stated that, in an informal discussion with a Kansas Department of Health and Environment (KDHE) representative, he had learned that Everton had been contacted regarding situations of their property and that Everton was addressing the issues.

**STAFF COMMENTS**

Director of Public Works, Ron Copple told the commission that Hall Brothers, Inc. is scheduled to begin the mill and overlay project on Thursday, June 5, 2008.

Mayor Hattan stated that there will be a study session following the adjournment of the meeting.

There being no further business, Commissioner Johnson moved to adjourn. Mayor Hattan seconded. Motion carried 5-0.



Chér Knudsen  
Interim City Clerk

(Seal)



# MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 18, 2008

The governing body met in regular session on June 18, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Jindra, Johnson, Lanoue, Hosie and Mayor Hattan.

Absent: none

Other Officers: City Manager Skiles, City Attorney Uri and Interim City Clerk Knudsen.

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

Pastor John States gave the invocation followed by the citing of the Pledge of an Allegiance.

Visitors: Jessica LeDuc, Toby Nosker, John States, Don Lanoue, Patricia Gerhardt, Ron Copple, Marvin Copple, Danny Parker, Janet Eubanks, Larry Remmenga, Larry Eubanks, Ron Deal, John Davis, Bruno Rehbein, Kirk Lowell and Laura Robinson.

Mayor Hattan asked if there were any changes to the agenda. There were none.

## APPROVAL OF MINUTES

APPROVED

Commissioner Lanoue moved to approve the minutes of the June 4, 2008 regular meeting. Mayor Hattan seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue.

Nay: None

## APPROPRIATION ORDINANCE NO. #11

APPROVED

Commissioner Johnson requested that the following e-mail be "for the record".

**From:** Mark Skiles

**Sent:** Tuesday, June 17, 2008 8:40 PM

**To:** Charles Johnson (cbj100@nckcn.com); Cheryl Lanoue Home; Cheryl Lanoue Work; Darrel Hosie (mdhosie@sbcglobal.net); Greg Hattan; Joe Jindra (jejnck@sbcglobal.net)

**Cc:** Bruno Rehbein; Cher Knudsen; Dan Parker (dparker@concordiaaks.org); Larry Eubanks; Larry Remmenga (Larry.Remmenga@concordiaaks.org); Larry Uri; Ron Copple; Ruby Maline; Tom Gennette

**Subject:** FW: 6/18/08 Meeting Questions

1. Ms. Maline provided a summary of accounts for the Commission about two or three months ago and, as a footnote, stated that Ordinance #1860 had been repealed. I would like a copy of Ordinance #1860, the date when it was repealed, and a copy of the new ordinance replacing Ordinance #1860. Paragraph 2 of Ordinance #2004-2872 states that "All ordinances of a general and permanent nature enacted on or before December 31, 2003, and not included in the Code or recognized and continued in force by reference therein, are repealed." Paragraph 3 goes on to state that this repeal should not be construed to revive any ordinances repealed prior to this one. I will be happy to e-mail a copy of #1860. It is my understanding that the commission has a copy of the current code. There was nothing that replaced #1860.

2. Four checks: 49030, 49031, 49032 and 49033 are missing from the end of the check register for Appropriation Ordinance #9. I would like to have photocopies of the checks and the rationale for the omission from the check register. They were voided. Do you still want photocopies?

3. Purchased items, guns for Police Department, what type, how many, for what purpose? Need a copy of the Police Department's equipment inventory. Three police shotguns were purchased for the patrol units. These were purchased to replace the three shotguns stolen from the police cars several months ago. No suspects were ever identified. DP With respect to the inventory request, I'm not sure that any of us want the crooks to know what we have. MS

4. Delissa's billing - How much was collected? \$21, 556.75 @ 7% plus \$110 monthly fee.

5. Video camera - A new camera or repaired one already owned? What are its uses? This is for the traffic light control, intersection of College Drive and Highway 81, that was struck by lightning. It is covered by insurance.

6. Kansas Gas Service - What are the City's gas demands for this time of year? Pool \$3,405, Pleasant Hill Cemetery \$72, Brown Grand \$30, Airport \$128, City Maintenance Shop \$209, City Hall \$313, City Water Dept. (521 Mill) \$173, FC Library \$35, Sports Complex \$23, Police Dept. \$48. The period for these charges is approx. 4/20 to 5/20.

7. Have previously asked about our electrical service for the street lights along U.S. Highway 81 and have yet to receive an explanation of the City's agreement with the power supplier as to whether the City can reduce power consumption at that source? The electricity for these lights is not metered, i.e. there

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 18, 2008 cont'd**

is a monthly charge per light. The charge is for the existence of the installation, electricity and maintenance of the lights; therefore, disconnecting them would not reduce the fee. The lights were not installed with an on/off option. This isn't to say that they couldn't be turned by jury-rigging the optical eye or cutting the electrical line that provides power. I have addressed this with Prairie Land and am going to request that a representative attend a City Commission Meeting to address the situation.

These questions, and the reply, are to be included in their entirety in the minutes of the June 18, 2008 meeting of the Concordia City Commission. Because the business of the City Commission is public, I am requesting that all questions submitted by the Commissioners, and the corresponding replies always be included in their entirety in the minutes of the meetings of the Concordia City Commission. This can be accomplished by requesting, in open session, that the document be "for the record". The document can then be scanned and be made a part of the body of the Minutes.

Signed, Charles B. Johnson, Commissioner

There was discussion again regarding the 2007 4<sup>th</sup> Quarter Treasurers Report. Finance Director, Ruby Maline responded that she can find no evidence that 4<sup>th</sup> Quarter Treasurers Reports were re-published in years past. Mayor Hattan stated that he would like to have a copy of the corrected 4<sup>th</sup> quarter report. Ms. Maline told him that she did not make correcting forms. Mayor Hattan said he wants to see where the ending balance of the 2005 audit and the beginning balance of the 2006 audit are equal.

Commissioner Lanoue requested that the city's auditor, Doug Glenn, bring the adjusting entries for 2004, 2005 and 2006 with him when he attends the July 16, 2008 commission meeting.

Mayor Hattan made a motion to approve appropriation ordinance #11. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue.

Nay: None

**NEW BUSINESS**

Laura Robinson with Great Lakes Airline gave a presentation announcing the return of their airline to Salina Regional Airport. Among others, they fly from Salina to Kansas City and Denver with connecting flights on United and Frontier. For more information contact your travel agent or Flygreatlakes.com.

**PUBLIC COMMENTS**

There were no public comments.

**ORDINANCE 2008-2960  
ZONING CHANGE – CLOUD COUNTY COMMUNITY COLLEGE**

**APPROVED**

Bruno Rehbein, Building Inspector gave the recommendation of the Planning Commission regarding the zoning change at Cloud County Community College. Commissioner Johnson asked with the change what can the college do with this change. Bruno explained that they could do anything that is educational.

Commissioner Hosie made a motion to approve Ordinance #2008-2960. Commissioner Lanoue seconded. Motion carried with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

**MANAGER'S REPORT**

City Manager Skiles reported on the staff that had been to Chapman to help after the tornado.

Performance Audit: Skiles stated he has contacted 4 firms, one of which he and Finance Director Maline met with, for 3 hours, on 6/18/08. He is still waiting to hear back from the other 3 firms. He also stated that the firms have indicated that they would be able to perform the audit any earlier than the end of August.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson questioned the 3 shot guns that were stolen out of police cars.. He stated that he would like an inventory of police equipment. Skiles stated that he wouldn't want the public

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 18, 2008, cont'd**

to be aware of what armament the police department has. Commissioner Lanoue said that she would imagine that it would be open record anyway. Chief Parker said that he saw no benefit in publicizing this information. Commissioner Lanoue also said that she feels that the commission should be informed when something like this happens but doesn't really know that the public needs that information.

Commissioner Jindra expressed his concern in regards to the 20<sup>th</sup> street dam and handed out the following information sheet.

**Concordia, KS Record Rainfall for 2-Day Period\***

Length of period: 2 days

Years: 1885-2008

Rank Value Ending Date

1	6.51	5/8/1950
2	6.48	6/10/1967
3	6.01	6/25/1904
4	5.69	7/28/1907
5	5.34	5/29/1903
6	5.29	9/6/1946
7	5.28	9/7/1946
8	5.24	7/23/1971
9	5.15	5/25/1970
10	5.14	5/24/1970, 7/23/1889
12	5.07	7/1/1982, 6/9/1967
14	5.05	6/24/1904
15	5.03	6/5/1908
16	4.87	9/11/2003
17	4.81	5/9/1950
18	4.79	9/4/1958
19	4.75	9/1/1935
20	4.66	7/18/1896

**Ending Date is the last day of the 2-day period.**

**June 23, 2003, Republic County Rainfall\***

There is an entry in Storm Data for up to 12 inches of rainfall in Republic County on June 23, 2003.

**September 11, 2003, Mitchell County Rainfall\*\***

By late evening, radar estimates and reports from around Mitchell County began to paint a picture of torrential rainfall and widespread flooding across the county. About 8 inches of rain was reported in Beloit, with 8 to 12 inches measured south and east of town. There were reports of numerous bridges and roads under water or washed out from west of Beloit to the east end of the county along and near the Solomon River. The Solomon River was out of its banks from west of Beloit downstream to Simpson. The flow recorded by the USGS at Simpson on the eastern Mitchell county line was greater than the flow recorded in 1993. Throughout Mitchell county, economic losses due to soil erosion, crop flooding and structural damage to farmstead buildings totaled from 1 to 3 million dollars.

Sources of information \*National Weather Service-Topeka provided by Jennifer Stark

\*\*National Weather Service-Hastings provided by Steve Kisner

Commissioner Hosie asked Ron Copple, Director of Public Works, about the street project. Ron said that everything was going well. Hosie thanked the staff that had helped in Chapman.

Commissioner Lanoue asked how the nuisance process was going. City Manager Skiles told her that the time frame had been shortened to allow 10 days from date of mailing. Commissioner Lanoue also gave addresses of two nuisances that she wanted looked into. Lanoue also requested that she receive a copy of the audit 2 weeks before the July 16, 2008 meeting. Skiles responded that the audit would be made available as soon as the auditor provided it.

Mayor Hattan asked where our public safety buildings were in case of a tornado. Fire Chief, Larry Eubanks, stated that the building behind the bowling alley (by the old OCK bldg) and the basements in the Cloud County Courthouse and City Hall would provide this service.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 18, 2008, cont'd**

**STAFF COMMENTS**

Larry Eubanks reported that of the 2259 LMI surveys that had been mailed, 1639 had been returned. He also stated that, in conjunction with Ruby Maline, the fire department is working on an updated inventory. James Buller, Firefighter, EMT and Paramedic told the commission what he, Derrick Champlin, Nick Gerard and Captain Menard did when they arrived in Chapman the night of the tornado.

Danny Parker told the commission that he will be sending 2 officers to Chapman by the end of the week to help patrol.

Mayor Hattan stated that there would be a study session following the meeting.

There being no further business, Mayor Hattan moved to adjourn. Commissioner Lanoue seconded. Motion carried 5-0.



Chér Knudsen  
Interim City Clerk

(Seal)

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## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 2, 2008

The governing body met in regular session on July 2, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Mayor Hattan, Commissioners Jindra, Johnson, Lanoue and Hosie.

Absent: None

Other Officers: City Manager Skiles, City Attorney Uri and Deputy City Clerk Crum.

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

Pastor John States gave the invocation followed by the citing of the Pledge of an Allegiance.

Visitors: Jessica LeDuc, Toby Nosker, John States, Don Lanoue, Armand Balthazor, Ron Copple, Marvin Copple, Fredic Voelker, Janet Eubanks, Larry Remmenga, Larry Eubanks, John Davis, Bruno Rehbein, Kirk Lowell, James Ganson, Ima Jean Chavey, Larry Bergstrom, Jack Gould and Ruby Maline.

Mayor Pro Tem Hosie asked if there were any changes to the agenda. City Manager Skiles asked to add item 4B - Police Department telephone platform bids. Skiles asked that 3 items be added to the study session: Budget Schedule, Resolution 2008-1815 - Employee Residency and Downtown Revitalization Program Boundaries. Skiles also asked that item 6A be removed under resolutions.

Commissioner Lanoue made a motion to approve the revised agenda. Commissioner Johnson seconded. Motion carried 4-0 with the vote being as follows:

Yea: Mayor Pro Tem Hosie, Commissioners Johnson Jindra and Lanoue

Nay: None

### APPROVAL OF MINUTES

APPROVED

Commissioner Johnson made a motion to approve the minutes of the June 18, 2008 regular meeting. Mayor Pro Tem Hosie seconded. Motion carried 4-0 with the vote being as follows:

Yea: Mayor Pro Tem Hosie, Commissioners Johnson, Jindra, and Lanoue.

Nay: None

### APPROPRIATION ORDINANCE NO. #12

APPROVED

City Manager Skiles told the Commission that check #49229 was voided as it was a duplicate billing. Commissioner Johnson had questions in regards to BWR, Gades and KRWA. Commissioner Lanoue asked questions in regards to police department petty cash, airport project money, notary bill that needs to be re-coded, the billing to the county for dispatch and the ambulance agreements to the township. Mayor Hattan arrived at this point and asked if there were any more questions or comments.

Mayor Hattan made a motion to approve appropriation ordinance #12. Commissioner Hosie seconded. Motion carried 4-1 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra and Hosie.

Nay: Commissioner Lanoue

### NEW BUSINESS:

#### CHAPMAN CONTRIBUTION

APPROVED

City Manager Skiles presented a recommendation of \$1,000 to give as a contribution to the City of Chapman. Commissioner Hosie asked what we gave to Greensburg and was informed that it was \$500. Commissioner Lanoue stated that she had citizens of the community tell her that they didn't feel that the City should be sending money, personnel or equipment to assist in the clean-up of Chapman.

Commissioner Johnson made a motion to approve the contribution to Chapman. Commissioner Hosie seconded. Motion carried 4-1 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra and Hosie

Nay: Commissioner Lanoue

#### POLICE DEPARTMENT TELEPHONE PLATFORM BIDS

APPROVED

Sergeant Fredric Voelker was present to present the bids for the telephone platform to be installed at the police department. They had requested 3 bids and only received 2 back. AT&T bid was \$117,565 and 911 Incorporated's bid was \$105,808. The police department recommended that the AT&T

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 2, 2008 cont'd

bid be accepted for the following reasons: AT & T is their current carrier for phone service, they have local service, the system is already tied to AT & T and AT & T has been very active and extremely helpful to the city in regards to getting grants. After some discussion and questions Voelker also stated that AT & T will begin the work as soon as the Commission approves the bid and the system should be up and running within 6 months.

Commissioner Johnson made a motion to approve the bid from AT & T for \$117,576. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yeah: Mayor Hattan, Commissioner Johnson, Jindra, Hosie and Lanoue

Nay: None

PUBLIC COMMENTS

Armand Balthazor was present to thank the Commission and Ron Copple for their hard work in erecting the flag pole at the sports complex. Balthazor invited the Commission and the public to the complex Thursday July 3 at 8:30p.m. to watch as the Boy Scouts raise the flag for the first time.

Ima Jean Chavey asked the commission if the 2007 audit had arrived. Mayor Hattan stated that it has not arrived yet. Mayor Hattan asked staff when they thought the audit would arrive and staff informed him that as soon as they received it then everyone else would receive their copies.

RESOLUTIONS:

RESOLUTION 2008-1815

DANGEROUS STRUCTURE 833 E. 6th

APPROVED

Bruno Rehbein, Building Inspector gave the report on the dangerous structure at 833 E. 6<sup>th</sup>. The property owner had asked for a 30 day extension and the 30 days are up. This resolution deals with authorizing the city to go ahead and demo the structure.

Commissioner Hosie asked if the City would receive the insurance money and was informed that this particular structure was not insured; therefore, for the City to receive any type of reimbursement the cost would have to be assessed to the property taxes.

Mayor Hattan inquired on how much it would cost to demolish the property; Rehbein said that we do not receive bids until it has been approved by the commission.

Commissioner Lanoue made a motion to approve the resolution 2008-1815. Mayor Hattan seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

RESOLUTION 2008-1816

CREDIT/DEBIT CARD POLICY

TABLED

Commissioner Johnson asked about the purchase cards. City Manager Skiles stated that this would allow us pursue an arrangement with a vendor providing this service. Commissioner Johnson is concerned about the number of cards that will be issued and does not feel that it should be left up to the City Manager. Johnson wants to see a final number of cards; Skiles stated that he did not intend to give every city employee a purchase card.

Mayor Hattan stated that he feels that everyone has had a chance to review everything that needs to be looked at on this policy. City Manager Skiles said that he would try to get someone from UMB Bank to come and present a plan on purchasing cards. The debt cards will stay in place until a decision has been made on what to do.

Mayor Hattan made a motion to table resolution 2008-1816. Commissioner Johnson seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

RESOLUTION 2008-1816

DEMOLITION POLICY

APPROVED

City Attorney Uri presented the policy with the changes that were requested in the review by the Commissioners in the study session. Commissioner Lanoue stated that she did not remember that the City Manager had sole discretion to determine the property will be eligible for demolition. Lanoue would like that to be changed to City Commission in consultation with City Manager and staff to decide which properties are eligible.

Commissioner Hosie disagreed with making that decision as it would place the issue in a political arena, slow the process and diminish the effectiveness of the program.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 2, 2008 cont'd**

Commissioner Jindra stated that we changed the nuisance policy to speed up the process by eliminating the step that included the Commission and that this would go against the nuisance policy action and; therefore, is sending things backwards.

Mayor Hattan said that the nuisances and dangerous structures are two totally different things and feels that the demolition procedures need to go through the Commission.

Commissioner Lanoue made a motion to approve resolution #2008-1816 adding the change that the City Manager does not have sole discretion in determining the properties that will be eligible for demolition and that those properties will come before the Commission. Commissioner Johnson seconded. Motion carried 3-2 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson and Lanoue

Nay: Commissioners Jindra and Hosie

**MANAGER'S REPORT**

City Manager Skiles noted that the roof at the Brown Grand was determined, by the insurance adjuster, to be a total loss. As the building is on the National Historical Registry, the replacement of the roof must be approved by the Kansas Historical Society. Campbell and Johnson are in the process of formulating and submitting the necessary paperwork. Skiles also stated that one vehicle and two trailers had also been determined to be a total loss.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson again requested a list of the inventory from the Police Department. City Manager Skiles informed him that he would provide the list by the end of next week.

Commissioner Hosie thanked the staff for cleaning up the property at 16<sup>th</sup> and Lincoln. Hosie also voiced his concerns with the skate boarding going on downtown.

Commissioner Lanoue thanked the City staff for taking care of all the nuisance abatements and the tour of the City facilities.

**STAFF COMMENTS**

There were none.

**ADJOURN**

Mayor Hattan made a motion to adjourn the meeting. Commissioner Johnson seconded. Motion carried 5-0 with the following vote:

Yea: Mayor Hattan, Commissioner Johnson, Jindra, Hosie and Lanoue.

Nay: None

  
\_\_\_\_\_  
Stacey Crum  
Deputy City Clerk

(Seal)

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 16, 2008**

The governing body met in regular session on July 16, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Mayor Hattan, Commissioners Jindra, Johnson, Lanoue and Hosie.

Absent: None

Other Officers: City Manager Skiles, City Attorney Uri and Interim City Clerk Knudsen.

Pastor John States gave the invocation followed by the citing of the Pledge of an Allegiance.

Visitors: Jessica LeDuc, Toby Nosker, Tom Tuggle, Darlene Hempel, Kirk Lowell, Jean Swiercinsky, John States, Don Lanoue, Danny Parker, James Ganson, Bev Mortimer, Karl Stricker, Joe Strecker, Ima Jean Chavey, Marvin Copple, Ron Copple, Isadore Bombardier, Larry Remmenga, Janet Eubanks, Art Slaughter, Ron Deal, Doug Glenn, LaDonna Peltier, Ruby Maline and Timothy Parker.

Mayor Hattan asked if there were any changes to the agenda. City Manager Skiles asked to add item 5D – Shady Lake Development/Taco Johns update. Mayor Hattan asked that items 5B and 5C be moved to after the Resolutions.

APPROVAL OF MINUTES

APPROVED AS AMENDED

Mayor Hattan stated that the minutes need to be corrected to show that he was late rather than absent. Commissioner Johnson made a motion to approve the minutes as amended for the July 2, 2008 regular meeting. Mayor Hattan seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue.

Nay: None

APPROPRIATION ORDINANCE NO. #13

APPROVED

Commissioner Hosie made a motion to approve appropriation ordinance #13. Commissioner Johnson seconded. Motion carried with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

PUBLIC COMMENTS:

Former Mayor Isadore Bombardier talked about all the help that the City of Concordia received after the 1992 wind storm. His comments were in response to remarks made, at the last Commission meeting, that the City should not have sent money, equipment or staff to help the city of Chapman after a tornado devastated their community. Commissioner Hosie read a partial list of the cities and counties that came to lend assistance to the City of Concordia following the 1992 incident. (See attached list) Bombardier stated that he went and visited a lot of those communities that helped and sent them all appreciation letters. Bombardier said “We had people coming from east, west, and north and south, we had to get on the radio station and tell them to quit coming because we were running out of room for all the volunteers. You have to help people that need help.”

NEW BUSINESS:

DOWNTOWN IMPROVEMENT POLICY

APPROVED

City Attorney Larry Uri explained that this was the policy that was discussed at the last study session. Commissioner Johnson made a motion to approve the downtown improvement policy. Mayor Hattan seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue.

Nay: None

SHADY LAKE RE-DEVELOPMENT/TACO JOHN'S

Tom Tuggle, Kirk Lowell and Tim Parker were all present to update the Commission on the progress of the new Taco John's building that will be built to the south of the Pizza Hut. Mr. Tuggle said he was pleased to be a part of this expansion. Mr. Parker said that he feels this new building will be a great addition to the city and citizens of this community and thanked everyone for their past support and continued support in the future. (See attached)

ORDINANCES:

ORDINANCE 2008-2961  
CONDITIONAL USE PERMIT – 124 W. 5TH

APPROVED



# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 16, 2008, cont'd**

Bruno Rehbein, Building Inspector talked to the commission about the conditional use permit for 124 W. 5<sup>th</sup> where a self-storage mini storage is going to be built by Larry Jackson. There were no questions or comments from the commission.

Commissioner Lanoue made a motion to approve ordinance #2008-2961. Mayor Hattan seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

## **ORDINANCE 2008-2962** **REZONING – USD#333**

**APPROVED**

Bruno Rehbein, Building Inspector explained to the commission that USD #333 wanted to get a zoning change to put up a wind generator. Hence USD #333 has decided not to put the generator in that area but would like to go ahead and get the zoning change for any future endeavors. The Planning Commission voted 4-1 to approve the zoning change. A legitimate protest petition was filed requiring the city commission to have to vote 4-1 to approve the zoning change. After some discussion Mayor Hattan made a motion to approve ordinance #2008-2962. Commissioner Hosie seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

## **RESOLUTIONS:**

### **RESOLUTION 2008-1817** **RESIDENCY POLICY**

**APPROVED**

Larry Uri, City Attorney presented the residency policy to the commission with the revisions requested. Commissioner Hosie made a motion to approve resolution #2008-1817. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

### **RESOLUTION 2008-1818** **DOWNTOWN IMPROVEMENT**

**APPROVED AS AMENDED**

Mark Skiles, City Manager presented resolution #2008-1818 to the commission. Commissioner Lanoue had questioned section four (4) in regards to the \$15,000.00 for matching grants and the last sentence in section for that states: the city manager, city clerk and city treasurer are directed to disburse that sum to The Citizens National Bank forthwith. Commissioner Hosie asked if we could change the \$15,000.00 to appropriation ordinance; the commission was in agreement of this and to delete the last sentence in section four (4). Commissioner Jindra made a motion to approve resolution #2008-1818 as amended. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

## **NEW BUSINESS CONTINUED:**

### **2007 AUDIT PRESENTATION**

**TABLED**

Mr. Doug Glenn, Mayer, Hoffman, McCann, PC, presented the 2007 audit. Mr. Glenn stated that the City has met the auditing requirement and standards set by the state. Based on the changes in job responsibilities for the end of 2007 they have finding which is called significant deficiency based upon segregation of duties. There needs to be an independent review of bank reconciliation, bank statements including copies of cancelled checks and a monthly review of all the journal entries. Mr. Glenn also feels that the implementing the purchase order application, using the journal entry transfer feature and the bank reconciliation feature with the Fund Balance software that the city already has would be a great asset to the city's tracking of financial records.

Items that were in that year's letter that were followed up on are as follows: the remaining balance in the water/sewer bond be transferred because it is no longer needed for the revenue bonds; city management ensure a system that no cash accounts are open in the city's name without prior approval; and the reconciliation of municipal court receipts. The municipal court software does not electronically interface with the cash receipt software, there is now reconciliation being done to make sure that what has been assessed and collected reflects in the general ledger.

Operational deficiencies for last year, up until now, were applications that include cash receipts, accounts receivable, project training and tracking assets all of which are on the server now. Continuing to get rid of unnecessary funds will be an issue for sometime.

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 16, 2008, cont'd

Mayor Hattan and Commissioner Lanoue asked questions of Mr. Glenn concerning cash balances, variances, transactions that take place in transfers, investments and journal entries. Questions were also asked regarding projects and encumbrances. Commissioners Johnson, Jindra and Hosie had no questions. Mr. Glenn stated that "their audit is complete and they are comfortable with it and if the commission wants corrected numbers, they can receive them from staff".

City Manager, Skiles said that Mr. Glenn mentioned in one of his letters that the Director of Finance had prepared the financial statements was this done for the 2006 audit? Mr. Glenn said "yes although we did lend some assistance". Skiles asked "prior to 2006 who prepared the financial statements? Mr. Glenn said "that his firm did". Skiles said "I look at an audit as not are all the pennies in the right place but do I have all the pennies".

Commissioner Hosie said "I make a motion to accept the 2007 audit. Commissioner Jindra seconded. Mayor Hattan said "All those in favor say "I" the "I's" were Mayor Hattan, Commissioners Jindra and Hosie. Opposed were Commissioners Johnson and Lanoue. Mayor Hattan asked to have discussion again. Commissioners Johnson and Lanoue explained why they did not want to approve the audit. Mayor Hattan stated they he would like the numbers to be right. Commissioner Hosie asked what the vote was on the motion which was 3-2 in favor of approving the 2007 audit. Mayor Hattan said there was a misunderstanding; that when he voted he thought that they were talking about Doug and his presentation. He said he still wanted to come back and visit the issue of the financial statements. Mayor Hattan said that there was a motion made by Commissioner Johnson that we table the approval of the 2007 audit. Commissioner Lanoue seconded. Mayor Hattan said "All those in favor say "I" the "I's" were Mayor Hattan, Commissioners Johnson and Lanoue. Mayor Hattan asked for those opposed and Commissioner Hosie said "I guess I don't understand there was a motion to accept the 2007 audit that was voted on with a 3-2 vote". Mayor Hattan said that "he did not call the vote" and therefore "the motion was not carried". Commissioner Hosie said that "he made a motion to accept the audit and it was seconded. There was no motion to table it or amend it or anything, it was voted on and I don't know what that vote was but that motion even if you don't recognize the vote the motion is still on the table". "So you are going to have to take care of that motion by voting it down or up". Mayor Hattan said "Commissioner Hosie has made a motion to accept the 2007 audit and Commissioner Jindra made motion to second". "All those in favor say "I" the "I's" were Commissioners Hosie and Jindra and the opposed were Mayor Hattan, Commissioners Johnson and Lanoue". 3-2 fail. Mayor Hattan said "I have a motion from Commissioner Johnson to get a revised audit and seconded by Commissioner Lanoue, all those in favor of that motion say "I" the "I's" were Mayor Hattan, Commissioners Johnson and Lanoue. Commissioners Jindra and Hosie did not vote. Carried."

### MANAGEMENT RESPONSE FOR 2007 AUDIT

Ruby Maline, Director of Finance read her letter of response for the 2007 audit. Maline told the commission of the changes that have been made this year to make the financial systems better which includes the implementing of all the accounting packages that our software company provides and having access to the general ledger which is now on the server. In the future she will continue to close unnecessary funds and work to get our financial system more accurate for reporting of the city's assets.

### MANAGER'S REPORT

City Manager Skiles reported that there would be a budget study session tomorrow night.

### MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Johnson asked staff to look into having the commission meetings taped for the local cable channel. Last year the commission had talked with Trish McDaniel at Concordia High School about what it would take it make this happen.

### STAFF COMMENTS

Larry Eubanks, Fire Chief reported that he and his staff need to get about 250 to 300 more Low to Moderate (LMI) survey's completed to meet the 51% needed to qualify for the grant.

### ADJOURN

Mayor Hattan made a motion to adjourn the meeting. Commissioner Johnson seconded. Motion carried 5-0 with the following vote:

Yea: Mayor Hattan, Commissioner Johnson, Jindra, Hosie and Lanoue.

Nay: None

(Seal)

  
 Stacey Crum  
 City Clerk

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 6, 2008**

The governing body met in regular session on August 6, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Mayor Hattan, Commissioners Jindra, Johnson, Lanoue and Hosie.

Absent: None

Other Officers: City Manager Skiles, City Attorney Uri and Interim City Clerk Knudsen.

Pastor Cory Shipley gave the invocation followed by the citing of the Pledge of an Allegiance.

Visitors: Jessica LeDuc, Toby Nosker, Steve Womack, Danny Parker, Kirk Lowell, Cory Shipley, Ron Deal, Susan Retter, James Ganson, Don Lanoue, Ron Deal, Marvin Copple, Ron Copple, Steve Wetter, Larry Eubanks, Jim Stromberg, Bruce Boettcher, Larry Remmenga, Dana Brewer, Lois Lervold, Tom Tuggle, Jim Currier, Jim Wahlmeier and Janet Lowell.

Mayor Hattan asked if there were any changes to the agenda. Director of Utilities Larry Remmenga stated that under New Business the commission would not be accepting a bid for the waste water project but would recommend that a discussion on that subject be held with the consulting firm. City Manager Skiles asked that item B building construction/historical preservation be added to the study session.

APPROVAL OF MINUTES

APPROVED

Mayor Hattan asked if there were any additions or corrections to the minutes for the July 2, 2008 regular meeting. Commissioner Lanoue asked where the attachments were for the minutes and on the last page under the audit presentation the very last sentence; it say's that "Commissioners Hosie and Jindra did not vote." City Manager Skiles stated "that's the way we recorded the action, yes." Commissioner Johnson asked if the commissioners get a copy of the amended minutes. Skiles said that if they would like them then they will be given to them. Commissioner Johnson made a motion to approve the minutes for the July 2, 2008 regular meeting. Mayor Hattan seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue.

Nay: None

APPROPRIATION ORDINANCE NO. #14

APPROVED

There were a few questions asked by Commissioner Johnson. Commissioner Hosie made a motion to approve appropriation ordinance #14. Commissioner Johnson seconded. Mayor Hattan asked if there were any other questions or comments. Commissioner Lanoue had a question in regards to medical supplies for the ambulance being miscoded. City Manager Skiles said that we recognize that it was coded incorrectly and has been corrected. Lanoue would like to see the journal entry that fixes the coding. Mayor Hattan asked if there were anymore questions or discussion. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

PUBLIC COMMENTS:

Lois Lervold, owner of the Huckleberry Tea House asked the commission to look at the pictures that she had taken of the alley beside her business. She said that it is any awful bad need of repairs and would appreciate anything that the commission can do to help her get the alley repaired.

NEW BUSINESS:

DISCUSS WASTE WATER PROJECT

DISCUSSED

Larry Remmenga, Director of Utilities introduced Bruce Boettcher with BG Consultant. Mr. Boettcher addressed the commission and talked to them about what they expect from the city and also what the city can expect to get from BG Consultants if they are chosen as the consulting company to work on the waste water project. Remmenga stated that we will put a team together that will consist of a commissioner, city manager, consulting firm, contractor and the waste water treatment plant supervisor. Commissioner Lanoue made a motion to authorize the mayor to sign the consulting contract with BG Consultants not to exceed \$22,300. Commissioner Johnson seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 6, 2008 (cont'd)**

**ACCEPT BID FOR EMS EQUIPMENT**

Larry Eubanks, Fire Chief presented the bids for the power cot that his department is requesting. Chief Eubanks recommends that the commission accept the bid from Pro-Med. Pro-Med has allowed the fire department to use the power cot for the last 4 weeks with very positive responses from patients that have been transported on the cot. Commissioner Johnson made a motion to accept the bid from Pro-Med. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

**RESOLUTION TO SET PUBLIC HEARING – SPRUCE STREET**

Ron Copple, Director of Public Works told the commission that Doris Bergstrom one of the land owners on Spruce street had contacted him with questions on what it would take to the street paved. Mr. Copple told her that she would have to get 51% of the property owners to sign a petition. City Attorney Uri prepared the petition and 3 of the 4 property owners signed. The Concordia Development Company is the only property owner that did not sign and that is due to the fact that the Board of Directors live all over the country and it is almost impossible to get them all together. The manager of the property said that they do not oppose to having the street paved.

City Attorney Uri explained that since not all property owners signed the petition the next step is to issue a resolution that calls for a public hearing at the next commission meeting; with the resolution being published twice and a certified copy being sent to all the land owners. Mayor Hattan made a motion to accept Resolution 2008-1819. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

**ORDINANCES:**

**ORDINANCE 2008-2963**

**TEXT AMENDMENTS – SUB DIVISION REGULATIONS**

**APPROVED**

Bruno Rehbein, Building Inspector explained that these ordinances are trying to get some flexibility into the sub division development regulations as well as the zoning regulations site plan requirements. The planning commission has been working on these ordinances with the direction of the commission for quite some time. Ordinance 2008-2963 allows the city commission to waive any requirement of a subdivision on a developer and that includes if the city is a developer. If someone came in with a plat and had a hard surface street, concrete curb and gutters, sidewalks, storm drainage things like that and the city commission would like to help pick up some of that cost the cost could be deferred. Commissioner Hosie asked what exactly did it mean that the city would pick up some of that cost? Rehbein explained that it would depend on each situation the city could make the developer pay the whole cost or decide to share the cost with the developer or it can be decided that the cost is unfair to the developer based on the size of the development and that cost can be disbursed. So there are quite a few options for the city commission to choose from. Commissioner Jindra made a motion to approve ordinance 2008-2963. Commissioner Hosie seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

**ORDINANCE 2008-2964**

**TEXT AMENDMENTS – ZONING REGULATIONS**

**APPROVED**

Ordinance 2008-2964 the planning commission put in item F in the off street parking section to allow industrial zones to not have hard surface parking. They can either delay it, the delay is not specified in a certain amount of time, then the planning or city commission can come back at a later date and decide that it needs to be a hard surface street and the improvement will need to be done. Sections 2, 3 and 4 of this ordinance basically has to do with site plan submittal applicability requirements and it gives flexibility to the zoning administrator to waive the requirement for a site plan all together for small projects. Commissioner Hosie made a motion to approve ordinance 2008-2964. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

**MANAGER'S REPORT**

City Manager Skiles . . . I am within one week of being here 9 months, so I thought maybe we should address a few things. When I took this job, to the interview committee and to the luncheon group that I met with out at the college, I mentioned that the reason I was looking to relocate was my family was not the job that I had

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 6, 2008 (cont'd)**

at the time. It was my family and I was looking for a better setting for them. And I'll tell you the move to Concordia was in the best interest of my family. The kids like it here, like their schools, we live in a nice house in a clean neighborhood with good neighbors. My wife likes it here so you know four thirds of my battle is over.

Nine days ago my little girl Savannah, who's 6 years old, broke her leg, fell and broke her leg. It had a cyst so it was weak. Two days later we bring her home. During that time people showed up. You know the good neighbor thing. In this part of the country and it may be United States wide, I'm not sure, but whenever you experience a tragedy or an inconvenience, people show up with food. In three days we had 90 ears of corn, now that's not a bad thing, cause a little girl named Savannah loves corn on the cob. So we cleaned it and put it in the freezer and she (Savannah) is in hog heaven. People have come by to see her. She thinks it Christmas, if it wasn't for the fact that both legs are cast. This child is kind of an invalid. For a while we are going to have to try to figure out how to get her through school as Jennifer enrolled all 3 of them in school today. It's either the bed, the chair, or the wheel chair. We just pick her up and crate her around. It's a good thing it happened when she was small so she's easy to handle.

My family moved here; the wife and kids a week before spring break. Turned out to be a good move on our part. It gave Dalton, my son that will be a senior, an opportunity to meet some people before summer got here. It's been good for him, he was my concern, moving a kid that late in life. My career has jerked him through 4 high schools and that's not a good situation. It's not what I intended but that's just kind of the way things worked out. I think Dalton runs with a good group of kids here and my hats off to the parents of those kids.

About a month after I came, I was approached by two ladies...they were mature - right around that 60 mark. They introduced themselves, thanked me for coming, thanked me for taking the job, and thanked me for bringing my family here, and then they apologized. They said, 'I'm sorry for how we know our community is.' It's an insult of the greatest degree to a community that they would say that.

Concordia has a reputation it needs to work on overcoming, and it's not just statewide. I remember the first City Commission meeting I came to, I remarked that we were going to enjoy our job. That was my intention. It's not my job to make everybody happy. If it is, I've done a terrible job - I know that, but I've given an honest effort.

...You must have quality people under you that know more about what they do than you do, because I don't know. I'm not a street department supervisor, I don't know about waste water. I know nothing about planning and zoning, and I don't want to - that's Bruno's job, and he does a good job of it.

But, I do find it - I guess - immature, unprofessional, unacceptable, and unconscionable that Commissioners continue to make inferences as to staff's incompetence and honesty. That's something you can't do. There is a gulf in this room between this staff and that table. Now, there're not going to come to you, and you're not going to come to them, but you're going to have to meet in the middle somewhere.

This is my third city to be city manager or city administrator of and, believe it or not, in other cities, you will find the Commission, staff and citizens in the community on the same page - actually pulling in the same direction. I'm not sure what it is, but there is a cancerous tumor in this city that is holding you back from what you can become.

You almost exist in spite of yourself, which is a sad thing to say. There are good people in this community. I've had people, a number of them, come to me in the last month and a half and say, 'we know things are tough, but stick it out. Please stay.'

Consider this my 60 day notice. As of October 6, I will no longer be the City Manager of Concordia, Kansas. I appreciate the opportunity, but I do believe that I don't think I'm the man for the job based on the actions that I have seen coming from behind your table.

I hope you find him, or her, whatever the case may be. As was the case with my predecessor, you will find no ill remarks from me about the city of Concordia.

I did check the community out before I came. I didn't come in blind. I was told it was politically challenged. The political divisiveness in this city is greater than any I've ever seen elsewhere. I don't know why - it seems to be generational. It is something you're going to have to work past. I don't know how to do it. I know I can't. I know it's not the City Manager's job to do that. I know it's not just the Commission's job. A lot of things have to come together to make this happen, and I don't think I'm the man for the job.

Thank you.

Other than that I have no comment.

**EXECUTIVE SESSION 1**

At this time, Mayor Hattan moved that the commission recess into executive session for fifteen (15) minutes for discussion. Inviting: City Attorney Larry Uri. Commissioner Lanoue seconded. Motion carried 5-0 with vote being as followings:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None.

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 6, 2008 (cont'd)**

Time: 6:23 p.m.

The commission reconvened at 6:38 p.m.

Mayor Hattan announced there was no action taken.

**EXECUTIVE SESSION 2**

At this time, Mayor Hattan moved that the commission recess into executive session for fifteen (15) minutes for discussion. Inviting: City Manager Skiles and City Attorney Larry Uri. Commissioner Lanoue seconded. Motion carried 5-0 with vote being as followings:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None.

Time: 6:39 p.m.

The commission reconvened at 6:54 p.m.

Mayor Hattan announced there was no action taken.

Mayor Hattan made a motion to direct City Attorney Uri to contact the League of Kansas Municipalities to start the search for a new City Manager. Commissioner Jindra seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, Hosie and Lanoue

Nay: None

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Hosie told the commission that he had received a call from Diane Gering with the Cloud County Health Department and they are holding a reception on August 9<sup>th</sup> from 9:00am-9:30am for Senator Pat Roberts. Roberts will be available to answer questions in regards to home health care, everyone is invited to attend. Hosie also thanked the planning commission for all the hard work and long hours they put in.

Commissioner Lanoue also thanked the planning commission.

Mayor Hattan thanked his fellow commissioners for a job well done on the slurry seal project. He also said that he is shell shocked with the announcement made by the city manager and he is sorry to see him go. The commission has never asked or encouraged him to leave or expressed any dissatisfaction in his performance. He is disappointed that the community did not offer him what he was looking for and they will try to do better next time.

**STAFF COMMENTS**

Larry Eubanks, Fire Chief told the commission that the fire department had received a \$1,550 grant from State Farm Insurance for smoke detectors.

**ADJOURN**


Mayor Hattan stated that there will be a study session following the adjournment of the meeting.

Mayor Hattan made a motion to adjourn. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioner Johnson, Jindra, Hosie and Lanoue.

Nay: None

(Seal)

  
 \_\_\_\_\_  
 Stacey Crum  
 City Clerk

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 20, 2008

The governing body met in regular session on August 20, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Mayor Hattan, Commissioners Johnson, Lanoue and Hosie.

Absent: Jindra

Other Officers: City Manager Skiles, City Attorney Uri and Interim City Clerk Knudsen.

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

Due to the absence of Pastor Shipley, there was no invocation.

The Pledge of Allegiance was recited.

Visitors: Jessica LeDuc, Toby Nosker, Eric Johnson, Ted Collins, Doris Bergstrom, Darlene Hepperly, Teddy Lineberry, Patricia Gerhardt, Walt Huber, Leonard Hicks, LaDonna Peltier, Marvin Copple, Danny Parker, Sara Hicks, Stacey Crum, Ron Copple, Don Lanoue, Larry Eubanks, Steve Dailey, Roy Reif, Sue Ebbesson, Michael Wentz, Marsha Wentz, Larry Remmenga, Ron Deal, Tom Tuggle, Suzy Tuggle, Dallas Nading, Janet Lowell, Tammy Budreau, Kirk Lowell, John Davis, Janet Eubanks, Dana Brewer, Jim Ganson, Kathy Snyder, Bob Maxson, Bruno Rehbein and Rick Underbakke.

Mayor Hattan asked if there were any changes to the agenda. City Attorney Uri requested that "Consideration for Financial Advisement for Springsted Corporation" be added as an item under New Business.

### APPROVAL OF MINUTES

APPROVED

Commissioner Lanoue stated that the minutes were incorrect because they did not state in the motions for executive sessions what the purpose was. City Manager Skiles said that the purpose was not stated in the motion and that the minutes accurately reflected the actions of the meeting. Both City Manager Skiles and City Attorney Uri stated that they felt that this was simply an oversight and that nothing contrary to KOMA was discussed in either session. The purpose for both of the executive sessions at the August 6, 2008 meeting was for non-elected personnel. Commissioner Johnson made a motion to approve the minutes of the August 6, 2008 meeting as presented. Mayor Hattan seconded. Motion carried 4-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Hosie and Lanoue.

Nay: None

### APPROPRIATION ORDINANCE NO. #15

APPROVED

City Manager Skiles told the Commission with respect to check #49466 (CBIZ) he requested it be removed. After few questions Mayor Hattan moved to approve appropriation ordinance #15. Commissioner Hosie seconded. Motion carried 4-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Hosie and Lanoue

Nay: None

### PUBLIC COMMENTS:

Dallas Nading, KNCK Radio thanked the city staff for their quick response to his open records request. Pat Gerhardt voiced her concerns that the South Broadway dam project not be forgotten. Tom Tuggle reminded everyone what a great job CASA does and that the "Men in Tights Under the Lights" program will be Saturday night. He also thanked Danny Parker Miss CASA 2007.

### NEW BUSINESS:

#### CITY MANAGER SEARCH

APPROVED

City Attorney Larry Uri explained to the commission that this was a contract to be signed by the Mayor to begin the City Manager search. Mayor Hattan made a motion to enter into this agreement. Commissioner Lanoue seconded. Motion carried 4-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Hosie and Lanoue.

Nay: None

#### CONCORDIA HISTORICAL SOCIETY-6<sup>TH</sup> AND LINCOLN PARKING LOT

DISCUSSED

Eric Johnson, of Campbell and Johnson, was present to discuss the "Whole Wall" project at the Museum. In reference to this project, The Museum requested that the City deed 9 feet on the east side of the sidewalk (on the east side of the entirety of the Museum) and 1 foot in the alley, the width of the museum. Dana Brewer informed the Commission that the Museum does not wish to obtain the entirety of the parking lot that is located on the east side of the Museum. Bruno Rehbein, City Building Inspector, informed the Commission that the Planning Commission would proceed with the public hearing process necessary to vacate the alley. City Attorney Larry Uri

# **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 20, 2008 (cont'd)**

stated that he had spoken with Community Development Block Grant Program personnel. He was informed that the parking lot would need to remain a public parking lot and they would need to approve any planned changes.

## **DEMOLITION PROGRAM PROJECT**

**APPROVED**

Bruno Rehbein, Building Inspector informed the commission that the following have applied and qualify for the Demolition program: 834 E. 5<sup>th</sup> with an estimated cost of \$2000.00; 221 W. 3<sup>rd</sup> with an estimated cost of \$4482.00 and 833 E. 6<sup>th</sup> with an estimated cost of \$2900.00. Commissioner Johnson made a motion to approve the demolition projects. Commissioner Lanoue seconded. Motion carried 4-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Hosie and Lanoue

Nay: None

## **SPRINGSTED CORPORATION**

**TABLED**

Tom Calico, Springsted Financial, a representative from Cloud County Health Center, and Kevin Cowan, Gilmore and Bell, were present at the City staff meeting last week. There were here to talk about what the City's water infrastructure requirements would be in the proposed new hospital site plan. Springsted discussed developing finance options. Their contract was not to exceed \$8000.

The City Commission felt like there needed to be more research before Springsted was contracted to pursue financing options. Mayor Hattan made a motion to table the Springsted presentation. Commissioner Hosie seconded. Motion carried 4-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Hosie and Lanoue

Nay: None

## **PUBLIC HEARING**

### **PUBLIC HEARING – SPRUCE STREET BETWEEN 16<sup>TH</sup> AND 17<sup>TH</sup>**

**HELD**

Mayor Hattan opened the public hearing at 6:02 p.m. Ron Copple, Director of Public Works, informed the Commission that the property owners have met the requirements for the project. Following discussion, Mayor Hattan moved to close the public hearing at 6:07 p.m. Commissioner Johnson seconded. Motion carried 4-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Hosie and Lanoue

Nay: None

## **RESOLUTIONS:**

### **RESOLUTION 2008-1820**

#### **TEXT AMENDMENT – SPECIAL ASSESSMENT – SPRUCE STREET**

**APPROVED**

Ron Copple informed the Commission that this resolution would be for the special assessment taxes to finance the project. Commissioner Hosie made a motion to approve resolution 2008-1820. Commissioner Lanoue seconded. Motion carried 4-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Hosie and Lanoue

Nay: None

### **RESOLUTION 2008-1821**

#### **102 E. 5<sup>th</sup> – PUBLIC HEARING DATE**

**APPROVED**

City Attorney Larry Uri informed the commission that this resolution authorizes a date to be set for the public hearing regarding 102 E. 5<sup>th</sup>. Commissioner Hosie made a motion to approve resolution 2008-1821. Commissioner Lanoue seconded. Motion carried 4-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Hosie and Lanoue

Nay: None

## **MANAGER'S REPORT**

City Manager Skiles reported that the slurry seal project is going very well and thanked the public for all of their cooperation.



**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 20, 2008 (cont'd)**

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Hosie also commented that the slurry seal project looks great. Commissioner Lanoue commented on the slurry project and also thanked Danny Parker for being Miss CASA 2007.

**STAFF COMMENTS**

Ron Copple, Director of Public Works shared a thank you card that he received from the 2<sup>nd</sup> Street Park Project. Danny Parker, Chief of Police told the Commission that the 911 grant project should be functional around November 10, 2008.

**EXECUTIVE SESSION 1**  
**ATTORNEY-CLIENT PRIVILEGE**

**HELD**

At this time, Mayor Hattan moved that the Commission recess into executive session for ten (10) minutes for discussion of attorney-client privilege inviting City Attorney Uri and City Manager Skiles. Commissioner Lanoue seconded. Motion carried 4-0 with vote being as followings:

Yea: Mayor Hattan, Commissioners Johnson, Hosie and Lanoue

Nay: None.

Time: 6:15 p.m.

The commission reconvened at 6:25 p.m.

**EXECUTIVE SESSION 2**  
**ATTORNEY-CLIENT PRIVILEGE**

**HELD**

At this time, Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for discussion of attorney-client privilege inviting City Attorney Uri. Commissioner Lanoue seconded. Motion carried 4-0 with vote being as followings:

Yea: Mayor Hattan, Commissioners Johnson, Hosie and Lanoue

Nay: None.

Time: 6:25 p.m.

The commission reconvened at 6:35 p.m.

Mayor Hattan announced that Larry Uri will assume the position of Interim City Manager effective September 16, 2008.

**ADJOURN**

Mayor Hattan stated that there will be a study session following the adjournment of the meeting.

Commissioner Johnson moved to adjourn the meeting. Commissioner Lanoue seconded. Motion carried 4-0 with the following vote:

Yea: Mayor Hattan, Commissioner Johnson, Hosie and Lanoue.

Nay: None

(Seal)

  
\_\_\_\_\_  
Stacey Crum  
City Clerk

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 3, 2008**

The governing body met in regular session on September 3, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Hattan, Johnson, Lanoue, Jindra and Hosie.

Absent: None

Other Officers: City Manager Skiles, City Attorney Uri and Interim City Clerk Knudsen.

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

There was no invocation.

The Pledge of Allegiance was recited.

Mayor Hattan asked if there were any changes to the agenda. Commissioner Hosie requested that "City Representation to Cloud Corp" be added under New Business.

APPROVAL OF MINUTES

APPROVED

Commissioner Johnson asked if a check was supposed to be voided. Commissioner Lanoue stated that, yes, check #49466 to CBIZ needed to be voided. Mayor Hattan made a motion to approve the minutes of the August 20, 2008 meeting as presented. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Hosie, Jindra and Lanoue.

Nay: None

APPROPRIATION ORDINANCE NO. #16

APPROVED

Commissioner Hosie made a motion to approve appropriation ordinance #16. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Hosie, Jindra and Lanoue

Nay: None

PLANNING COMMISSION

Bruno Rehbein addressed the Mayor and Commissioners that Thea-Dora Lineberry has expressed interest in the Planning Commission Board. He recommended that she be appointed. Commissioner Johnson made a motion to approve Thea-Dora Lineberry for the Planning Commission. Commissioner Hosie seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Hosie, Jindra and Lanoue

Nay: None

CHILD PASSENGER SAFETY WEEK

Fire Chief Larry Eubanks reported that the Fire Department has child safety seats to donate to citizens, as well as State Certified professionals to install and inspect the safety seats.

Mayor Hattan discussed some of the rules and stipulations for child safety seats. Mayor Hattan proclaimed that September 15-19, 2008 as Child Passenger Safety Week.

PUBLIC COMMENTS:

Armand Balthazor expressed his opinion that the City should terminate their membership with the League of Kansas Municipalities and hire someone right out of college for the city manager position.

City Manager Skiles read a letter from Estalene Harrington, referring to her concern for the community's working together and doing so to resolve the low water pressure at the college.

PUBLIC HEARING:

2009 BUDGET

Mayor Hattan explained that the 2009 budget (compared to the 2008 budget), shows a decrease in General Fund spending of \$291,238.00, in the Utility Fund of \$334,109.00 and all other funds by 805,803.00. He mentioned deficit spending and inadequate bond levy funding in prior years as being responsible for the increase in the '09 mill levy.

Hattan discussed the Flood Control Project. He stated that Skiles was responsible for renewing contact with the Corps of Engineers and had also been in contact with Roberts, Brownback and Moran. The Corps has agreed to fund the first \$100,000 and 50% thereafter for a feasibility study that is currently underway.

Hattan also talked about plans for redoing the city's water lines, sewer lines and streets. Mayor Hattan also mentioned plans for improving the Broadway Street sanitary sewer system next year and a sewer plant upgrade.

Hattan mentioned the Slurry Seal project and plans to continue it next year.

Hattan referenced the new 911 platform which will be installed later this year or early next year.

Hattan made note of the LMI Survey that Larry Eubanks was working on which would allow City departments to access grant monies for infrastructure projects.

Hattan stated that he would to get a more effective operation at the Airport and that he would like to appoint a Recreation Advisory Committee to provide guidance into the recreation program.

Hattan made a motion to close the Public Hearing Session for the 2009 Budget. Commissioner Hosie seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Hosie, Jindra, Lanoue and Johnson

Nay: None

Commissioner Lanoue made a motion to approve the 2009 Budget. Commissioner Johnson seconded. Motion carried 4-1 with the vote being as follows:

Yea: Hattan, Hosie, Lanoue and Johnson

Nay: Jindra

#### 102 E. 5<sup>TH</sup> STREET

Building and Zoning Director Bruno Rehbein addressed the Mayor and Commissioners about the Kansas State Historical Society's determination on the progress of the Concordia Homestore, the staff report and advice of the Commission. Owner Steve Wetter applied for a conditional use permit for the downtown area removing the old lumberyard and replacing it with a storage facility. Rehbein stated that the Planning Commission has already approved the conditional use permit application. Rehbein stated that he didn't think the Historical Society had approved the demolition of the old building; they wanted to see plans for the new one. Steve Wetter briefly addressed the Commission on the Historical Society's concerns.

Mayor Hattan made a motion to close the Public Hearing Session for 102 E. 5<sup>th</sup> St. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Hosie, Jindra, Lanoue and Johnson

Nay: None

#### ORDINANCES:

ORDINANCE #2008-2965  
Adopt 2009 Budget

APPROVED

Mayor Hattan made a motion to approve Ordinance #2008-2965. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Hosie, Jindra and Lanoue

Nay: None

#### RESOLUTIONS:

RESOLUTION #2008-1822  
DEMOLITION PROGRAM

Commissioner Hosie made a motion to approve Resolution #2008-1822 stating that there is not a feasible & prudent alternative to the purposes, plans and development of the district. Commissioner Jindra seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Jindra, Hosie and Lanoue

Nay: None

RESOLUTION #2008-1823  
TRANSPORTATION IMPROVEMENTS

APPROVED AS AMENDED

City Manager Skiles explained this resolution which is enacted by the Kansas Legislature for transportation improvements for cities, of which Concordia has four. Commissioner Hosie agreed with these four projects, and stated he agreed with those listed and would like to add another. Mayor Hattan made a motion to approve Resolution #2008-1823 as amended to include the north bypass. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Jindra, Hosie and Lanoue

Nay: None

#### NEW BUSINESS

Bob Maxson of Cloud County Community College expressed concern on the water pressure. He was aware that the '09 City Budget included funding to address this situation. He stated that the College is interested

in expediting this project and wanted to know whom he was to make contact with. The Commission expressed the opinion that Larry Uri would be the contact person.

Arlene Clayton spoke of the farmers market and her concerns on the current location. She felt it should be moved back to the original location of the city park, to better accommodate downtown shoppers and clientele.

City Manager Skiles asked for two voting delegates and two alternates for the Kansas League of Municipalities Annual Conference. Mayor Hattan nominated Charles Johnson and Darrel Hosie for voting delegates. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Jindra, Hosie and Lanoue

Nay: None

Commissioner Hosie nominated Cher Knudsen and Mayor Hattan for alternate voting delegates. Commissioner Jindra seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Jindra, Hosie and Lanoue

Nay: None

Concerning the Airport Authority by-laws, City Manager Skiles presented changes as recommended by the Airport Authority Board. Commissioner Johnson made a motion to approve the bylaws. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Jindra, Hosie and Lanoue

Nay: None

City Manager Skiles presented two applicants, as recommended by the Airport Authority Board, to the Commission to be considered as members of the Board. Skiles stated that it was customary, and a sign of respect for the receiving group, that the recommendations be made from same. Commissioner Lanoue made a motion to approve Brian Donavon and Dane Hanson to the board for four year terms, with the suggestion that Ray Palmer and Steve Richard be included if they are willing to serve. After further discussion, Everett Ford was added to the motion. Commissioner Johnson seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Jindra, Hosie and Lanoue

Nay: None

Commissioner Hosie made a motion to appoint Commissioner Johnson to be the City Representative to the CloudCorp Board to represent the city. Commissioner Jindra seconded. Motion failed with the vote being as follows:

Yea: Jindra, Hosie

Nay: Hattan, Johnson, Lanoue

#### OLD BUSINESS

#### APPROVED

Mayor Hattan made a motion to approve the interim city manager contract for Larry Uri. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Jindra, Hosie and Lanoue

Nay: None

#### MANAGER'S REPORT

City Manager Skiles thanked the city staff for their involvement in and the numerous hours of budget study sessions attended.

#### MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Hosie shared an article from the Clyde Republican in which it stated the City of Clyde donated \$1000 to the City of Chapman for disaster relief. He pointed out that Concordia donated \$500.

#### STAFF COMMENTS

None.

#### ADJOURN

Mayor Hattan stated that there will be a study session following the adjournment of the meeting.

Mayor Hattan made a motion to adjourn the meeting. Commissioner Lanoue seconded.

Yea: Hattan, Jindra, Johnson, Hosie and Lanoue.

Nay: None

(Seal)

  
\_\_\_\_\_  
Stacey Crum  
City Clerk

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 17, 2008**

The governing body met in regular session on September 17, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Hattan, Johnson, Lanoue, Jindra and Hosie.

Absent: None

Other Officers: City Manager Skiles, City Attorney Uri and City Clerk Crum.

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

Visitors: Jessica LeDuc, Toby Nosker, Walt Huber, Armand Balthazor, James Ganson, Ron Deal, Kirk Lowell, Larry Remmenga, Danny Parker, Megan Murdock, Sara Hicks, Marvin Copple, Ron Copple, Mel Steinle, Don Lanoue, LaDonna Peltier, Jim Wahlmeier, Ted Collins, Janet Eubanks, Larry Eubanks, Phil Gilliland, Tom Tuggle.

Pastor Dean Thompson gave the invocation followed by the reciting of the Pledge of Allegiance.

City Manager Skiles asked that an Item B be added to the Study Session, Mid America Auto Center. Commissioner Hosie requested that Study Session item "Allocation of Downtown Improvements Funds" be moved to New Business.

APPROVAL OF MINUTES

APPROVED

Commissioner Johnson made a motion to approve the minutes of the September 3, 2008 meeting as presented. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Hosie, Jindra and Lanoue.

Nay: None

APPROPRIATION ORDINANCE NO. #17

APPROVED

Commissioner Lanoue and Commissioner Johnson had some questions concerning the appropriation ordinance. Mayor Hattan made a motion to approve appropriation ordinance #17. Commissioner Johnson seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Hosie, Jindra and Lanoue

Nay: None

PUBLIC COMMENTS:

Concerning the new city manager, Jim Ganson expressed his desire to hire from amongst the citizens of Concordia, and believes a city administration type of government might be beneficial.

Armand Balthazor questioned the advertising for city manager, and wondered if local citizens would be considered for the position.

Kirk Lowell praised City Manager Skiles for his service to the community.

Phil Gilliland and Mayor Hattan discussed remarks made September 3 by Mayor Hattan concerning the financial status of the City, as quoted in the Blade-Empire.

NEW BUSINESS:

ANIMAL CONTROL VEHICLE

TABLED

Chief Danny Parker gave bids he received for the new animal control vehicle from Babe Houser Motors, Womack Sunshine Ford, and Concordia Auto Mart. The bids were as follows:

USED VEHICLES

Babe Houser - 2007 Ford F-150 Ext. Cab 4x4	\$18,648
Concordia Auto Mart - 2006 Ford F-150 Ext. Cab 4x4	\$16,875
Womack Ford - 2005 Ford F-150 Ext. Cab 4x4 with hail	\$16,990

NEW VEHICLES

Womack Ford - 2008 Ford F-150 Ext. Cab 4x4 with hail	\$21,875
Babe Houser - 2008 GMC 1500 Ext. Cab 4x4	\$21,952

Comparing used prices and new prices he'd received, he recommended accepting the bid from GSA, which is a government partners program. This vehicle is a new 2009 Ford for \$18,887. As the commissioners had not seen the bids prior to the commission meeting, it was moved by Mayor Hattan to table voting on this until they

could study the bids further. Commissioner Charles Johnson seconded. Motion to table said bids passed with the vote being as follows:

Yea: Hattan, Johnson, Hosie, Jindra and Lanoue

Nay: None

ZISTRO'S CEREAL MALT BEVERAGE LICENSE

APPROVED

City Attorney Uri pointed out that, although the application states they want a beer garden, this is just for the CMB license. Mayor Hattan moved to approve the Zistro's Cereal Malt Beverage License. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Hosie, Jindra and Lanoue

Nay: None

AIRPORT AUTHORITY BOARD MEMBERSHIP

APPROVED

Kirk Lowell asked for the approval of Susan Retter, which would be the first time in many years that the board had a full membership of nine. Concerning the members that were approved at the last meeting, all were willing to serve. Commissioner Johnson voiced Belden Blosser's concern that new members did not have direct connections to aviation. City Attorney Uri said that the agreement only states that preference should be given to those connected to aviation, but does not break the agreement should a member be approved without direct connections. Commissioner Hosie moved to approve Susan Retter to the Airport Authority Board. Commissioner Jindra seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Hosie, Jindra and Lanoue

Nay: None

ALLOCATION OF DOWNTOWN IMPROVEMENT FUNDS

There was discussion regarding allocation of funds for downtown improvement projects and demolition projects in the 2009 budget. After discussion of these projects it was determined that \$20,000 was budgeted for 2009 for demolition, and \$10,000 was budgeted for downtown improvement projects.

MANAGER'S REPORT:

City Manager Skiles introduced new city clerk Stacey Crum and new staff Megan Murdock and Katrina Sorell. The front office is now fully staffed. He also thanked the department heads for the steak meal that day. He gave thanks to the staff for a job well done.

MAYOR/COMMISSIONER COMMENTS AND REPORTS:

Commissioner Jindra stated his position on what he felt was a witch hunt of staff during the budget process this year.

Commissioner Johnson asked who owned Cloud Village and where the minutes and audits were kept. There were also questions concerning the transportation resolution that had been passed in the previous commission meeting, nuisances, and airport by-laws.

Commissioner Hosie expressed his concern on making decisions on construction projects in the study session, rather than in an open meeting. He stated that the commission does not manage the City, but sets policy and budgets.

Commissioner Lanoue congratulated City Clerk Crum, welcomed new front office staff, and thanked City Manager Skiles.

Mayor Hattan stated he stood by the budget and the numbers presented, and congratulated City Manager Skiles and Ruby Maline on a more complete and correct budget. He addressed Commissioner Hosie's comments on the construction projects. He also thanked City Manager Skiles.

STAFF COMMENTS:

Ron Copple talked of a KDOT meeting in Abilene he would be attending the next day and invited any commissioner to go, and would be taking the recently passed transportation resolution with him.

City Attorney Uri asked permission to send a letter verifying city support of permission to use part of the sidewalk at 6<sup>th</sup> & Lincoln for the brick wall project. Commissioner Johnson made a motion to approve the transfer of property of the sidewalk in the parking lot of city property at 6<sup>th</sup> & Lincoln. It was seconded by Mayor Hattan. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Hosie, Jindra and Lanoue

Nay: None

ADJOURN


Mayor Hattan stated that there will be a study session following the adjournment of the meeting.

Mayor Hattan made a motion to adjourn the meeting. Commissioner Lanoue seconded.

Yea: Hattan, Jindra, Johnson, Hosie and Lanoue.

Nay: None

(Seal)

  
\_\_\_\_\_  
Stacey Crum  
City Clerk



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## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 1, 2008

The governing body met in regular session on October 1, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Mayor Hattan, Commissioners Johnson, Lanoue, and Hosie.

Absent: Commissioner Jindra

Other Officers: Interim City Manager Uri and City Clerk Crum.

A quorum was present.

Visitors: Jessica LeDuc, Toby Nosker, Megan Murdock, Ron Deal, Jim Ganson, Ted Collins, Danny Parker, Don Lanoue, Janet Eubanks, Marvin Copple, Steve Womack, LaDonna Peltier, Andria Hicks, Todd Schmit, Leonard Hicks, Janet Lowell, Tony Studt, George, DeBauche, Ron Copple, Larry Remmenga, Larry Eubanks, Michael Wentz, Tom Tuggle, Suzy Tuggle, Kirk Lowell, Joe Walter, Sara Hicks, Ruby Maline, Bruno Rehbein.

Pastor David Redmond gave the invocation followed by the reciting of the Pledge of Allegiance.

Mayor Hattan asked for changes on the agenda. Interim City Manager Uri stated that Ordinance #2008-2967, Adopting Commercial Vehicle Safety Act would be moved to the study session, due to questions from commissioners.

### APPROVAL OF MINUTES

### APPROVED

Commissioner Johnson questioned why several items were omitted from the minutes. He felt that more of the discussion should be included, and that the reason for having a clerk was for more complete minutes. Mayor Hattan and Commissioner Lanoue agreed that more information could be included. Commissioner Hosie stated that the minutes are the official record of business transaction, and that discussion items are not business transacted. Therefore, the clerk would be asked to edit information if details of discussion are expected. After discussion by the commission and Interim City Manager Uri, it was decided that there would be a more expansive set of minutes in the future, and that the subject would be discussed in a study session. Commissioner Johnson made a motion to approve the minutes of the September 17, 2008 meeting as presented. Commissioner Lanoue seconded. Motion carried.

### APPROPRIATION ORDINANCE NO. #18

### APPROVED

Commissioner Lanoue questioned whether the \$33,519.63 hail damage money was being transferred to the 222 (vehicle replacement) fund only. Ruby Maline had received an email from former city manager Skiles on the breakdown of this money, and promised to forward that email. There was a question on the breakdown of the \$1,314,720.55 budgeted transfers, and discussion on tracking these transfers. Commissioner Johnson noted the increased amount paid to IMA over the normal monthly premiums. Commissioner Hosie made a motion to approve appropriation ordinance #18. Commissioner Johnson seconded. Motion carried.

### PUBLIC COMMENTS:

Ted Collins questioned where the minutes could be found for the public to see. It was noted that there is a copy placed at the library, and that minutes can be requested at any time at City Hall.

Kirk Lowell reminded the commission and the public of the town hall meeting for the hospital project at the Brown Grand Theatre. He stated there would be a power point, panel discussion and a question and answer session. A similar meeting will be conducted at the airport on Oct. 12, with Jerry Moran in attendance, and aircraft for Life Flight.

David Redmond stated that the minutes are a legal record of transactions, and suggested that any commissioner wanting certain items to be included in the minutes could address it at that time.

### NEW BUSINESS:

#### BENEFIT ADMINISTRATIVE SYSTEMS - EMPLOYEE HEALTH CARE

Joe Walter gave a presentation to the commission and the public concerning the City's health care plan. He explained the stop loss premium and how claims are paid. Typically, health insurance companies charge between 10% and 18% for administrative costs. This could have amounted to possibly \$60,000 had the City kept their previous insurance. BAS charges approximately \$12,000 per year for administrative costs. Mr. Walter explained the benefits of being self-insured and the taxpayer savings of approximately \$23,500 at this point in the year. He explained how Benefit Administrative Systems is actually a third party administrator for the City's policy. Mr. Walter promised to be back in November with 2009 policy figures for the commission.

#### DEMOLITION PROGRAM APPLICATIONS

Bruno Rehbein, Building Inspector, presented two properties to the commission for approval for demolition. Estimates for the properties:

220 E. 1 <sup>st</sup>	\$3200.00
534 E. 6 <sup>th</sup>	\$4250.00

Mr. Rehbein reminded the commission that the City will pay half the costs, up to \$4000 per property. He stated the owner will have to bring paid receipts to City Hall before being reimbursed.

Commissioner Johnson made a motion to approve the demolition program for 220 E. 1<sup>st</sup>. Mayor Hattan seconded. Motion carried 4-0.

Mayor Hattan made a motion to approve the demolition program for 534 E. 6<sup>th</sup>. Commissioner Lanoue seconded. Motion carried 4-0.

ORDINANCES:

ORDINANCE #2008-2967  
ALLEY VACATION-MUSEUM ANNEX

APPROVED

Bruno Rehbein presented to the commission an ordinance vacating a portion 1 feet by 44 feet of the alley adjoining lots 3 and 4 in block 136; property adjacent to the Cloud County Museum Annex. The extra property is needed for the museum to complete the wall project. Larry Uri noted that the Kansas Community Development Block Grant has approved deeding nine feet of the parking lot at 6<sup>th</sup> and Lincoln to the Cloud County Historical Society. Commissioner Hosie made a motion to approve Ordinance #2008-2967. Commissioner Johnson seconded. Motion carried 4-0 with the vote being as follows:

Yea: Hattan, Johnson, Hosie, and Lanoue

Nay: None

MANAGER'S REPORT:

Interim City Manager Uri discussed purchase cards. He has been in contact with a sales rep from UMB Bank. The plan is to have a representative from UMB present a plan at a future commission meeting.

He also gave an update on the Broadway sewer project and stated that Larry Remmenga has met with Campbell and Johnson to discuss a proposal for their engineering services for the project.

He presented the completed budget book to the commission, which was recently compiled by Ruby Maline and Katrina Sorell.

MAYOR/COMMISSIONER COMMENTS AND REPORTS:

Commissioner Hosie thanked City staff for their hard work during Fall Fest.

STAFF COMMENTS:

Police Chief Danny Parker discussed the recent Amber Alert training in Concordia with area law enforcement. He explained the process of an Amber Alert. The program is strictly for abducted children under 17 years of age, with solid suspect information. Another program that Chief Parker will be implementing in the near future is called "A Child Is Missing." This includes, along with missing children, disabled adults, Alzheimer patients, and the like. Toby Nosker from KNCK Radio shared how this program works with area media.

Fire Chief Larry Eubanks provided the final reports of the LMI (Low to Moderate Income) Surveys that had been mailed to all Concordia residents this past summer. In view of the results, the City qualifies for a community block development grant. The results will be discussed in the study session. Also, he reminded the commission of the battle of the badges next week.

ADJOURN

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

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

(Seal)

  
\_\_\_\_\_  
Stacey Crum  
City Clerk

**ATTACHMENTS**

**IN**

**FILE**

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 15, 2008**

The governing body met in regular session on October 15, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Mayor Hattan, Commissioners Johnson, Lanoue, Jindra and Hosie.

Absent: None

Other Officers: Interim City Manager Uri and City Clerk Crum.

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

Visitors: Jessica LeDuc, Toby Nosker, Ted Collins, Don Deal, Linda Houser, Ron Copple, Susan Sutton, Danny Parker, Don Lanoue, Jim Ganson, Kirk Lowell, Larry Remmenga, Larry Eubanks, Marvin Copple, Michael Wentz, LaDonna Peltier, Janet Eubanks, Holly Andrews, Joan Frasier, Tony Studt, James LaBarge, Ronda Phillips, Brenton Phillips, Deb Ohlde, Sara Hicks, Ruby Maline, Bruno Rehbein.

Pastor Bob Burns of the Wesleyan Church gave the invocation followed by the reciting of the Pledge of Allegiance.

Mayor Hattan asked for changes on the agenda. Interim City Manager Uri stated that the results of the bid opening for the Taco John's driveway and sidewalk construction project were just received and should be discussed at the study session.

APPROVAL OF MINUTES

APPROVED

There were no comments. Mayor Hattan made a motion to approve the minutes of the October 1, 2008 meeting as presented. Commissioner Lanoue seconded. Motion carried unanimously.

APPROPRIATION ORDINANCE NO. #19

APPROVED

Commissioner Hosie questioned the amount of the Campbell & Johnson check, which was for more than their normal monthly professional services. Interim City Manager Uri said he would get that question answered. Commissioner Hosie made a motion to approve appropriation ordinance #19. Commissioner Johnson seconded. Motion carried unanimously.

PUBLIC COMMENTS:

There were no public comments.

PUBLIC HEARING:

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Fire Chief Larry Eubanks asked for the approval of the CDBG Program, which was presented to the commission at the October 1 meeting, to move forward with the grant. The grant will help pay for a new fire truck, with the City paying 50% of the purchase price. Mayor Hattan asked for public comments for the CDBG Program. Commissioner Lanoue asked about the portion the City would be spending. The grant paperwork states the City's portion would be up to \$168,000. Chief Eubanks clarified that the amount listed was a high amount, and that in all probability the City would not be spending that much. The total project price was listed at approximately \$340,000, and anything over that the City would have to cover. Mayor Hattan moved to close the public hearing. Commissioner Lanoue seconded. Motion carried unanimously.

APPOINTMENTS:

AIRPORT ADVISORY BOARD MEMBERS

Interim City Manager Uri stated that since the airport board is now full, and so many members were approved at the same time, there was the need to stagger the length of their terms in order for reappointment to come at various times. The board members decided amongst themselves at the last airport meeting the length of their terms, which is what was before the Commission for approval. Commissioner Hosie suggested that this approval come after the change in the bylaws, which was up next on the agenda. Interim City Manager Uri agreed, and asked for Kirk Lowell to give his report concerning the airport bylaws.

OLD BUSINESS:

AIRPORT ADVISORY BYLAWS

APPROVED

Kirk Lowell presented several recent changes to the airport advisory bylaws since they were passed in September by the Commission. A chart of terms was developed to stagger the terms of the recent board members. Also, a change was made to the first paragraph of the bylaws, adding, "In addition, the Board is empowered to determine, approve, and permit appropriate non-airport uses of Blosser Municipal Airport." Article I

Section 2 has been revised as well. Mr. Lowell pointed out that the bylaws also state that all members shall reside within Cloud County; therefore the City needs to update Concordia Code Section 2-442, which still states that members must reside within three miles of planning jurisdiction. Article I Section 3 contains a new addition to the paragraph, and Article I Section 4 has a wording change. Article I Section 6 replaces the previous Article VIII concerning meeting attendance. Article III states the quarterly meetings shall be held regularly in January, April, July and October. Article IV Section 5 gives the board power to make determinations concerning future non-aviation use of Blosser Municipal Airport. Mayor Hattan asked if the Code change could be approved immediately. Interim City Manager Uri determined that it was possible to pass the change without having the ordinance in writing in front of the Commission. Commissioner Johnson asked about advertising procedures for the board positions. It was decided that the ordinance number would be 2971. Commissioner Johnson made a motion to approve Ord. #2008-2971, amending Concordia Code Section 2-442 to provide that all members of the airport advisory board shall reside within Cloud County. Commissioner Lanoue seconded. Motion carried unanimously.

Commissioner Johnson moved to approve the airport advisory bylaws as presented. Mayor Hattan seconded. Motion carried unanimously.

Commissioner Hosie moved to approve the airport advisory board members as presented. Commissioner Lanoue seconded. Motion carried unanimously.

NEW BUSINESS:

ADMINISTRATIVE CONTRACT COMMUNITY DEVELOPMENT BLOCK GRANT

Commissioner Hosie asked if only a portion of the grant could be approved, wondering if there was a possibility of only getting half the grant. Chief Eubanks said that the grant would either be approved or denied, in full. Commissioner Lanoue made a motion to authorize the mayor to sign the CDBG agreement. Commissioner Hosie seconded. Motion carried unanimously.

RESOLUTION 2008-1824 LEGAL AUTHORITY TO APPLY FOR CDBG                      APPROVED

Interim City Manager Uri suggested that the two resolutions be approved at this point in the meeting since they went along with the grant agreement. Mayor Hattan made a motion to approve Resolution #2008-1824. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None

RESOLUTION 2008-1825 CONTINUAL FUNDING OF FIREFIGHTING OPERATION   APPROVED

Deb Ohlde, North Central Regional Planning Council representative, explained that this resolution deals with the promise of ongoing maintenance to the fire truck should the City get this grant and purchase the equipment. Chief Eubanks added that \$45,000 has already been put aside for this. Commissioner Johnson made a motion to approve Resolution #2008-1825. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None

Deb Ohlde presented the Residential Anti-Displacement & Relocation Assistance Plan that states block grant funds would not be used to destroy occupied or occupiable low to moderate income housing. Commissioner Hosie moved that Mayor Hattan be allowed to sign this agreement. Commissioner Lanoue seconded. Motion carried unanimously.

DEMOLITION PROGRAM APPLICATIONS    APPROVED

Bruno Rehbein, Building Inspector, presented 219 W. 3rd to the commission for approval for demolition. Estimated costs of the demolition are \$4585. Mayor Hattan questioned whether this building could be used as a controlled burn for fire department training. Mr. Rehbein stated that a project of this sort must be approved by the state and the KDHE and that the house could not contain lead paint or asbestos. Mayor Hattan made a motion to approve the demolition program for 219 W. 3rd. Commissioner Johnson seconded. Motion carried unanimously.

BROWN GRAND/ORPHAN TRAIN SIGNS

Sue Sutton of the Brown Grand Opera House presented a sign proposal to the Commission, asking for the purchase and installation of three signs highlighting the Brown Grand and Orphan Train Complex. The quotes were as follows:

Three signs with engineered grade sheeting incl. posts	\$1157
Three signs with high intensity sheeting incl. posts	\$1515

Ron Copple stated that a permit has already been acquired for KDOT to approve the project. Commissioner Jindra moved to approve the purchase of the high intensity sheeting signs. Commissioner Lanoue seconded. Motion carried unanimously.

## ANIMAL CONTROL VEHICLE BIDS

Police Chief Danny Parker presented the animal control vehicle bids from area dealerships. It was established that the Commission preferred the bids from Womack Sunshine Ford. Both are new, one having some hail damage. Commissioner Hosie asked about the \$1,000 rebate for financing. Interim City Manager Uri did not think that the City could enter into an installment contract. Commissioner Johnson asked about receiving bids for smaller pickups, which was answered that the animal cages and light bar would not fit. After discussing specs, Commissioner Lanoue moved to approve the bid for the white vehicle with no hail damage for \$14,500 from Womack Sunshine Ford. Mayor Hattan seconded. Motion carried unanimously.

## AIRPORT ADVISORY BOARD

Kirk Lowell shared the presentation made to the airport advisory board by Jim Wahlmeier, president and CEO of Cloud County Health Center. He discussed the possibility of the hospital being located on a tract of airport land adjacent to Highway 81, rather than on a tract further south. At the request of the Cloud County Health Center, the Airport Advisory Board, in accordance with city policy which requires the Airport Advisory Board to approve all non-aviation uses of airport land, is considering whether to approve the proposed location of the hospital.

## ORDINANCES:

### ORDINANCE #2008-2968

#### UNIFORM PUBLIC OFFENSE CODE

APPROVED

Interim City Manager Uri explained that the Uniform Public Offense Code is a booklet containing most ordinances that the City uses and enforces in City court, other than traffic ordinances, and each year it is updated by the League of Kansas Municipalities. The ordinance will be to approve any new changes to this booklet. There was discussion about non-highway vehicles, and speed limits. Commissioner Hosie made a motion to approve Ordinance #2008-2968. Commissioner Johnson seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None

### ORDINANCE #2008-2969

#### INCORPORATING STANDARD TRAFFIC ORDINANCE

APPROVED

Commissioner Hosie asked about the section of the ordinance stating a 12 mph speed limit. Interim City Manager Uri explained how a private property owner could post such a sign. Commissioner Johnson made a motion to approve Ordinance #2008-2969. Mayor Hattan seconded. Motion carried 5-0 with the vote being as follows:

Yea: Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None

### ORDINANCE #2008-2970

#### COMMERCIAL VEHICLE SAFETY ACT-TRUCK INSPECTIONS

APPROVED

Interim City Manager Uri discussed the ordinance which would enable a city police officer with the required training to stop a truck for safety violations. He also stated that an officer has had the 40 hour training for this purpose. Commissioner Lanoue raised concerns over the liability issue with declaring a truck unsafe. Interim City Manager Uri discussed these concerns. Commissioner Johnson asked for an explanation of Sect. 19-153, which is a list of vehicles that will not be stopped. He stated that he has listened to concerns that all commercial vehicles will be stopped. Danny Parker said the police department's intent is not to stop local grain and livestock trucks. Commissioner Johnson also questioned whether this duty would require more overtime for the officer. Danny Parker said that the officer would do this during his normal schedule. Mayor Hattan made a motion to approve Ordinance #2008-2970. Commissioner Hosie seconded. Motion carried 4-1 with the vote being as follows:

Yea: Hattan, Jindra, Hosie, and Lanoue

Nay: Johnson

## MANAGER'S REPORT:

Interim City Manager Uri discussed getting bids from other health insurance companies to compare with Benefit Administrative System's figures when they attend a future meeting. He had also contacted the Corp of Engineers regarding updates on the flood control project.

## MAYOR/COMMISSIONER COMMENTS AND REPORTS:

Commissioner Johnson asked about the progress on getting a performance audit. Interim City Manager Uri reported that no satisfactory bids were received and that the matter would be discussed with the accounting firm hired to do the 2008 audit. Commissioner Johnson questioned whether city staff are staying on top of

nuisances, and was updated on the status of nuisance enforcement by the staff. Commissioner Johnson inquired as to the possibility of videotaping future commission meetings. Interim City Manager Uri said that information on this will be presented at a future meeting. Commissioner Hosie spoke of the November 6 League regional supper at Beloit, and encouraged commission members to attend. Commissioner Lanoue asked about updating the employee handbooks to reflect the residency requirement changes. Interim City Manager Uri said this would be done.

STAFF COMMENTS:

Larry Eubanks reported that he received a \$450 grant from KDHE for smoke detectors, plus \$2000 for tools and wages to install. He also stated that the fire department had won the recent Battle of the Badges during the blood drive. Danny Parker invited attendance to the grand opening of the new Child Advocacy Center, which is located in the basement of the health department.

EXECUTIVE SESSION:  
NON-ELECTED PERSONNEL

At this time, Mayor Hattan moved that the commission recess into executive session for five (5) minutes for the discussion of non-elected personnel. Inviting: Larry Uri. Commissioner Lanoue seconded. Motion carried by the following vote:

Aye: Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None.

Time: 7:20 p.m.

The commission reconvened at 7:27 p.m.

ADJOURN

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

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

(Seal)

  
\_\_\_\_\_  
Stacey Crum  
City Clerk

# **Cloud County Health Center**

## **Presentation to Concordia Airport Advisory Board**

October 8, 2008

### **Usage of Blosser Municipal Airport Land for New Hospital Building Site**

On April 8, 2008, Cloud County Health Center (CCHC) had Airport Advisory Board Member, Kirk Lowell present information concerning a possible Blosser Municipal Airport (Airport) site location for the proposed new hospital to the Concordia Airport Advisory Board. This Airport site is located between F&A Food Sales, Inc. and the National Guard Armory.

CCHC understands from Lowell that the Advisory Board was somewhat discouraging about this non-aviation use of Airport land because of Blosser Family requirements concerning usage of Airport land and facilities. CCHC also understands the Advisory Board has, "big picture" interest in this proposed Airport site location for the new hospital because of the very positive benefits the hospital project could have for the Airport.

On May 7, 2008, CCHC representatives had a meeting with the Concordia City Commission in Executive Session to discuss acquisition from the City of Airport land for the new hospital. The City Commission discouraged CCHC about using Airport land for a non-aviation use. The City Commissioners encouraged CCHC to attempt obtaining other land located adjacent to the Airport.

CCHC believes a site adjacent to the Airport must be accomplished because the key to the current new hospital proposal is to have a taxiway extend from the main Airport runway to the backdoor of the new hospital. This would put CCHC in an excellent position to facilitate fixed-wing Life Flight services for CCHC patients needing critical, emergency, and/or trauma care. This accomplishment would also put CCHC in an excellent position to recruit new doctors and effectively compete with other community hospitals located in the North Central Kansas Region.



During July 2008, CCHC obtained an option to purchase approximately 56 acres located on the southwest end of the Airport from Lynn and Patricia Mosher. This property is also located on the northeast corner of the intersection of 81 Expressway and Plum Road. With this site, a taxiway is buildable from the new hospital to the Airport runway. The CCHC Board of Trustees is very pleased with what the Mosher Site offers. CCHC then began to promote a positive countywide bond election for the project by publicly announcing the Site on July 8, 2008.

At the CCHC New Hospital Promotional booth during Fall Fest on September 27, 2008, and at the CCHC Town Hall Meeting conducted in the Brown Grand Theatre on October 2, 2008, CCHC had several voters voice concerns about the safety of the Mosher Site when it comes to vehicles entering and leaving the Site from the 81 Expressway. CCHC informed these voters that the Board of Trustees would make an effort to consider other appropriate sites located adjacent to the Airport runway.

Because of this perceived Site safety issue, CCHC reviewed a document that then City Manager, Mark Skiles provided to CCHC. The document is titled, *City of Concordia, Kansas Commission Policy Statement Number 2007-1* and dated September 30, 2007. In Section 4 - Non-aviation Uses of Airport Land and Facilities the policy states:

- *"Non-aviation uses of airport land and facilities shall be discouraged. Any future non-aviation use of airport land and facilities shall be permitted only with the written consent and approval of the Airport Advisory Board. Any permitted non-aviation use of the airport land and facilities by city or persons authorized by the city shall be conducted in a manner that is not detrimental to the primary use of the airport for aviation purposes."*

Several months ago, the City and Airport Advisory Board discouraged CCHC from attempting to acquire a site located on Airport land. However, even though CCHC is still very comfortable with promoting the Mosher Site with possible KDOT required safety enhancements, CCHC believes a due diligence should be conducted by again considering acquisition of the F&A / Armory Site because of the stoplight intersection access to this Site. This will give voters two Sites to consider and ponder during the bond election campaign.

CCHC believes that Commission 2007-1 Policy clearly gives the Airport Advisory Board authority to permit CCHC to use Airport land for a non-aviation use (new hospital) if the new hospital is not detrimental to the use of the Airport for aviation purposes.

CCHC also believes that a new hospital located on said Airport land will actually enhance Airport aviation purposes by:

- Helping create substantially more aircraft operations at the Airport, this could help lure more grant funding to the Airport for aviation purposes;
- Having a business operating 24 hours per day, 7 days per week, and 365 days per year located right on the Airport. This could possibly provide hospital staff to help facilitate 24-7 Airport courtesy car availability and usage, pilot accommodations, etc.; and
- Create more local public awareness of the Airport by 175 CCHC employees, patients, doctors, service providers, vendors, etc. traveling to the Airport every day. This should help make local citizens more comfortable with investing City tax dollars in the Airport facilities and land for aviation purposes.

Because of these potential very positive impacts on Airport aviation purposes that building a new hospital on Airport land could have, Cloud County Health Center respectfully requests that the Airport Advisory Board approve and permit the non-aviation use of Airport land to build a new hospital in Concordia.

Respectfully submitted,  
Cloud County Health Center

## STATEMENT OF ASSURANCES AND CERTIFICATIONS

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The applicant hereby assures and certifies with respect to the grant that:

- (1) It possesses legal authority to make a grant submission and to execute a community development and housing program.
- (2) Its governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the person identified as the official representative of the grantee to submit the final statement, all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the grantee to act in connection with the submission of the final statement and to provide such additional information as may be required.
- (3) Prior to submission of its application to Commerce, the grantee has met the citizen participation requirements, prepared its application of community development objectives and projected use of funds, and made the application available to the public, as required by Section 104(a)(2) of the Housing and Community Development Act of 1974, as amended, and implemented at 24 CFR 570.486.
- (4) It has developed its final statement (application) of projected use of funds so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight; the final statement (application) of projected use of funds may also include activities that the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available.
- (5) Its chief executive officer or other officer of the grantee approved by Commerce:
  - (a) Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969 and other provisions of federal law as specified in 24 CFR 58.1(a);
  - (b) Is authorized and consents on behalf of the grantee and himself/herself to accept the jurisdiction of the federal courts for the purpose of enforcement of his/her responsibilities as such an official; and
- (6) The grant will be conducted and administered in compliance with the following federal and state regulations (see Appendix A: Applicable Laws and Regulations):

- (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and implementing regulations issued at 24 CFR Part 1;
- (b) Fair Housing Amendments Act of 1988, as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing; and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provision of brokerage services;
- (c) Section 109 of the Housing and Community Development Act of 1974, as amended; and the regulations issued pursuant thereto (24 CFR Section 570.602);
- (d) Section 3 of the Housing and Urban Development Act of 1968, as amended; and implementing regulations at 24 CFR Part 135;
- (e) Executive Order 11246, as amended by Executive Orders 11375 and 12086 and implementing regulations issued at 41 CFR Chapter 60;
- (f) Executive Order 11063, as amended by Executive Order 12259 and implementing regulations at 24 CFR Part 107;
- (g) Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112), as amended and implementing regulations when published for effect;
- (h) The Age Discrimination Act of 1975, as amended, (Pub. L. 94-135), and implementing regulations when published for effect;
- (i) The relocation requirements of Title II and the acquisition requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and the implementing regulations at 24 CFR 570.488;
- (j) Anti-displacement and relocation plan requirements of Section 104(d) of Title I, Housing and Community Development Act of 1974, as amended:
- (k) Relocation payment requirements of Section 105(a)(11) of Title I, Housing and Community Development Act of 1974, as amended.
- (l) The labor standards requirements as set forth in 24 CFR 570.603 and HUD regulations issued to implement such requirements;
- (m) Executive Order 11988 relating to the evaluation of flood hazards and Executive Order 11288 relating to the prevention, control, and abatement of water pollution;

- (n) The regulations, policies, guidelines and requirements of OMB Circular Nos. A-87, A-110 and A-122 as they relate to the acceptance and use of federal funds under this federally assisted program;
  - (o) The American Disabilities Act (ADA) (P.L. 101-336: 42 U.S.C. 12101) provides disabled people access to employment, public accommodations, public services, transportation, and telecommunications;
- (7) The conflict of interest provisions of 24 CFR 570.489 apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or sub recipients which are receiving CDBG funds. None of these persons may obtain a financial interest or benefit from the activity, or have an interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter, and that it shall incorporate or cause to be incorporated, in all such contracts or subcontracts a provision prohibiting such interest pursuant to the purpose of this certification;
  - (8) It will comply with the provisions of the Hatch Act that limits the political activity of employee;
  - (9) It will give the state, HUD, and the Comptroller General or any authorized representative access to and the right to examine all records, books, papers, or documents related to the grant;
  - (10) It will comply with the lead-based paint requirements of 24 CFR Part 35 Subpart B issued pursuant to the Lead-Based Paint Hazard Elimination Act (42 U.S.C. 4801 et seq.).
  - (11) The local government will not attempt to recover any capital costs of public improvements assisted in whole or in part with CDBG funds by assessing properties owned and occupied by low- and moderate-income persons unless: (a) CDBG funds are used to pay the proportion of such assessment that relates to non CDBG funding or; (b) the local government certifies to the state that, for the purposes of assessing properties owned and occupied by low- and moderate-income persons who are not very low-income, that the local government does not have sufficient CDBG funds to comply with the provision of (a) above.
  - (12) It accepts the terms, conditions, selection criteria, and procedures established by this program description and that it waives any right it may have to challenge the legitimacy and the propriety of these terms, conditions, criteria, and procedures in the event that its application is not selected for CDBG funding.

- (13) It will comply with the regulations, policies, guidelines, and requirements with respect to the acceptance and use of federal funds for this federally assisted program.
- (14) It will comply with all parts of Title I of the Housing and Community Development Act of 1974, as amended, which have not been cited previously as well as with other applicable laws.

The applicant hereby certifies that it will comply with the above stated assurances.

\_\_\_\_\_  
Signature, Chief Elected Official

Mayor

\_\_\_\_\_  
Title

\_\_\_\_\_  
Gregory L. Hattan

\_\_\_\_\_  
Name (typed or printed)

10/15/08

\_\_\_\_\_  
Date

To Whom It May Concern:

As Chief Elected Official of the City of Concordia, I hereby certify that I have knowledge of all activities in the above-referenced application. I also certify that I am aware that the regulations of the CDBG program prevent the use of any facility built or rehabilitated with CDBG funds, or any portion thereof, to be used for the conduct of official business. I therefore certify that no portion of the above application violates this regulation.

\_\_\_\_\_  
Gregory L. Hattan, Mayor

ATTEST:

\_\_\_\_\_  
Stacey Crum, City Clerk

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 5, 2008

The governing body met in regular session on November 5, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Mayor Hattan, Commissioners Johnson, Lanoue, Jindra and Hosie.

Absent: None

Other Officers: Interim City Manager Uri and City Clerk Crum.

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

Visitors: Jessica LeDuc, Toby Nosker, Steve Womack, Steve Womack Jr., Jimmy Workman, Danny Parker, Joe Walter, Megan Murdock, Kirk Lowell, Ron Copple, Larry Eubanks, Don Lanoue, Jim Ganson, Ted Collins, Larry Remmenga, Ron Deal, Marvin Copple, Nathan Eberline, Jack Gould, Harley Adams, Johnny Adams, Howard Danzig, Ruby Maline, Bruno Rehbein.

There was no invocation.

The Pledge of Allegiance was recited.

Mayor Hattan asked for changes on the agenda. Interim City Manager Uri stated that the Nathan Eberline of the Kansas League of Municipalities was in attendance.

APPROVAL OF MINUTES

APPROVED

Commissioner Lanoue questioned the Executive Session part of the minutes that made it appear the Commission reconvened a couple of minutes after the stated five minute session. Interim City Manager Uri said that the wording could be changed in the future. Commissioner Johnson made a motion to approve the minutes of the October 15, 2008 meeting as presented. Commissioner Lanoue seconded. Motion carried unanimously.

APPROPRIATION ORDINANCE NO. #20

APPROVED

Mayor Hattan asked if CBIZ was associated with the City's former auditing firm. Interim City Manager Uri explained that they had been retained by former City Manager Skiles for advice and aid during the self-funding insurance process. Interim City Manager Uri said that he would investigate the possibility of terminating the contract with CBIZ, as their services were no longer needed. Commissioner Johnson asked what CCMFOA stood for. Ruby Maline explained that it is the City Clerk Municipal Finance Officer Association. Commissioner Lanoue questioned why training is still continuing to be taken out of office furniture. Ruby Maline answered that the budgeted software programs for 2008 came out of that line. Commissioner Johnson wanted to know how many employees were included in Colonial Life Insurance's premium, which is one. Commissioner Johnson also asked about ICMA contributions. Ruby Maline answered that we currently have one employee participating in that program. Mayor Hattan made a motion to approve appropriation ordinance #20. Commissioner Hosie seconded. Motion carried unanimously.

PUBLIC COMMENTS:

There were no public comments.

PUBLIC HEARING:

STREET PROJECTS 5 YEAR PLAN

Ron Copple addressed the Commission concerning the streets included in KDOT's 5 Year Plan, as follows:

Year 2010	K-9/K-28 Hwy. (5 <sup>th</sup> St.) Davies Dr. E. to W. Side of 5 <sup>th</sup> /Washington
Year 2011	18 <sup>th</sup> Street: State Street to Lincoln Street
Year 2012	Cedar Street: 7 <sup>th</sup> Street to 11 <sup>th</sup> Street
Year 1013	Matthew Street: 6 <sup>th</sup> Street to 11 <sup>th</sup> Street
Year 1014	State Street: 18 <sup>th</sup> Street to 21 <sup>st</sup> Street and Campus Drive: State to Republican

KDOT will pay 80% of these projects, with the City paying the remaining 20%. Commissioner Johnson asked if we are committed to these projects in the five year period. Mr. Copple explained that the projects could be changed if another street were to be added, and that the projects could also be rearranged according to need. Commissioner Johnson asked which streets are on the Federal Aid Urban system. Mr. Copple gave him a small list of the streets included in the FAU system. Mayor Hattan moved to close the public hearing. Commissioner Johnson seconded. Motion carried unanimously.

APPOINTMENTS:

PLANNING COMMISSION MEMBERS

Bruno Rehbein said that the terms of LaDonna Peltier and Thea-Dora Lineberry expired on November 1, and they had both expressed interest in serving another term on the planning commission. Mr. Rehbein recommended that the commission appoint each of them to another three year term. Commissioner Hosie moved to appoint LaDonna Peltier and Thea-Dora Lineberry to three year terms. Commissioner Lanoue seconded. Motion carried unanimously.

OLD BUSINESS:

BAS INSURANCE UPDATE

Howard Danzig of Benefit Administrative Systems was on hand to present an analysis packet to the commissioners and gave a presentation on the current health care of the City. He explained the City's performance for the current year. There were two large claims above the \$35,000 current stop/loss, which has caused a premium increase with the current insurance carrier. The analysis packet included bids from other insurance carriers that should keep the costs down for the coming year.

NEW BUSINESS:

CEREAL MALT BEVERAGE LICENSE

WAL-MART

There were no comments. Mayor Hattan moved to approve the CMB license for Wal-Mart. Commissioner Lanoue seconded. Motion carried unanimously.

BUILDING INSPECTOR TRUCK BIDS

ACCEPTED

Bruno Rehbein presented the two bids he had received for a new community development truck:

Babe Houser Chevrolet	2008 Chevy ½ Ton SC 4x4	\$21069
Womack Sunshine Ford	2008 Ford F-150 SC 4x4	\$20075

Both of these bids included the trade of a 1997 Ford F-150. He recommended the lower bid of the Ford. Commissioner Johnson moved to approve the bid from Womack Sunshine Ford for a 2008 Ford F-150 for \$20075. Commissioner Hosie seconded. Motion carried unanimously.

2009 SLURRY SEAL PROJECTS AGREEMENT

TABLED

Ron Copple presented the 2009 Slurry Seal Projects Agreement from the engineering firm of Campbell and Johnson. Commissioner Lanoue asked how many streets remained for slurry seal. Mr. Copple answered that there are over 50 blocks and he could finish all streets by 2012. Commissioner Johnson was concerned about the condition of several streets and asked when they would be finished. His question was addressed by Mr. Copple. Commissioner Johnson read paragraph 4 on page 2: "If the termination is for the convenience of the Owner, an equitable adjustment in the Agreement price shall be made..." He wondered who makes the equitable adjustment. Interim City Manager Uri answered that if both parties could not agree on what is equitable, then a judge would decide. Commissioner Johnson asked about paragraph 9 on the same page that states that "The consultant's drawings, specifications and other documents shall not be used by the Owner of others..." He questioned who the others are. There was discussion on this wording and who owns the engineer plans. City Manager Uri agreed to discuss this matter with Campbell and Johnson. Mayor Hattan moved to table the 2009 Slurry Seals Project Agreement. Commissioner Lanoue seconded. Motion carried unanimously.

RESOLUTIONS:

RESOLUTION 2008-1826 MIXED MARTIAL ARTS COMPETITION

APPROVED

Jimmy Workman and Steve Womack Jr. of NCK MMA, presented an upcoming cage boxing tournament to be held at Cloud County Community College. State law requires a City to authorize such an event within the city limits. Mr. Workman explained that the college would provide spectator insurance. The Kansas Boxing Commission will be in attendance to have weigh-ins, doctors, and physicals. The State provides judges and referees, and collects the taxes. Commissioner Jindra made a motion to approve Resolution #2008-1826. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Commissioners Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None

RESOLUTION 2008-1827 KDOT 5 YEAR PLAN

APPROVED

There were no comments. Commissioner Hosie made a motion to approve Resolution #2008-1827. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Commissioners Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None



MANAGER'S REPORT:

Interim City Manager Uri said that the next study session would include a proposal from Paul Justyna on video equipment for commission meetings. He encouraged the health insurance proposal by BAS to be discussed at the next study session. He discussed a newly formed committee of department heads to give a voice to the employees concerning health care. Interim City Manager Uri discussed this year's audit and the \$8000 overrun that the City will not be responsible for, since the auditor was required to get prior approval for anything over the bid amount. The auditor has notified the City that this is a clean audit even if the financial statements are changed. The City is required to file the audit with the Division of Accounts and Reports by year end. This will be filed next week to be in compliance with legal requirements.

MAYOR/COMMISSIONER COMMENTS AND REPORTS:

Commissioner Johnson asked if all departments have complete equipment maintenance records. Ron Copple explained the process when vehicles are serviced in the City shop. Larry Remmenga stated that his department keeps complete records on all vehicles. Commissioner Hosie read a list of the lengths of employment of recent city managers and suggested that the commission should discuss why several city managers left after a short time. Commissioner Lanoue commended the staff for the new street between 16<sup>th</sup> & 17<sup>th</sup> on Spruce.

STAFF COMMENTS:

Ruby Maline discussed her request from eight CPA firms for audit bids. She would like to see the contracts discussed at the November 19 meeting, and the contract awarded to the accepted firm at the December 3 meeting. It was decided that these bids be discussed in the study session at the November 19 meeting.

Larry Eubanks presented the debris management plan and disaster emergency operation plan. He explained that federal and state money could be received for having these plans in place. Mr. Eubanks also asked for permission to deviate from the ambulance purchasing policy by purchasing with Cheyenne County to receive a better price. He has received a bid of \$140,900 for an ambulance with a power cot. Mr. Eubanks discussed a grant that he is applying for, for the purpose of purchasing a new ambulance. It will cover either 65% or 50% of the purchase price. If the grant is received, it can be used for the ambulance on order. Mayor Hattan made a motion to deviate from the standard purchasing practice. Commissioner Lanoue seconded. Motion carried unanimously. Commissioner Johnson made a motion to purchase the ambulance with power cot for \$140,900. Commissioner Lanoue seconded. Motion carried unanimously.

Interim City Manager said that there are several items for discussion at the November 19 study session, and asked if it would be appropriate to order dinner.

Commissioner Johnson asked if the City had a tree removal program. Interim City Manager stated that the City did not have money for that.

Danny Parker said that he had complete records on all his vehicles. He also discussed that morning's bomb threat at the courthouse and talked of the investigation.

Larry Remmenga said that the water tower work was underway, and that the company would completely redo the project at no additional cost. At this point, no money has been paid to them. He also updated the Commission on the wastewater treatment plant project.

EXECUTIVE SESSION – NON- ELECTED PERSONNEL

HELD

Mayor Hattan moved that the commission recess into executive session for thirty (30) minutes for the discussion of non-elected personnel. Inviting: Nathan Eberline. Commissioner Lanoue seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Johnson, Jindra, Hosie, and Lanoue.

Nay: None.

Time: 7:13 p.m.

The commission reconvened at 7:43 p.m.

Mayor Hattan announced there was no binding action taken.

EXECUTIVE SESSION – NON- ELECTED PERSONNEL

HELD

Mayor Hattan moved that the commission recess into executive session for thirty (30) minutes for the discussion of non-elected personnel. Inviting: Nathan Eberline. Commissioner Lanoue seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Johnson, Jindra, Hosie, and Lanoue.

Nay: None.

Time: 7:44 p.m.

The commission reconvened at 8:14 p.m.

Mayor Hattan announced there was no binding action taken.

EXECUTIVE SESSION – NON- ELECTED PERSONNEL

HELD

Mayor Hattan moved that the commission recess into executive session for fifteen (15) minutes for the discussion of non-elected personnel. Inviting: Nathan Eberline. Commissioner Lanoue seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Johnson, Jindra, Hosie, and Lanoue.

Nay: None.

Time: 8:15 p.m.

The commission reconvened at 8:30 p.m.


Mayor Hattan announced there was no binding action taken.

ADJOURN

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

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

(Seal)

  
\_\_\_\_\_  
Stacey Crum  
City Clerk

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 19, 2008

The governing body met in regular session on November 19, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Johnson, Lanoue, Jindra, and Hosie.

Absent: None

Other Officers: Interim City Manager Uri and City Clerk Crum.

Commissioner Hosie declared that a quorum was present and called the meeting to order.

Visitors: Jessica LeDuc, Toby Nosker, Danny Parker, Bruno Rehbein, Ron Deal, Ted Collins, Ron Copple, Marvin Copple, Jim Ganson, Don Lanoue, Janet Eubanks, Kirk Lowell, Larry Eubanks, Ken Johnson, Tony Studt, Bob Maxson, Larry Remmenga, Everett Ford, Ruby Maline.

There was no invocation.

The Pledge of Allegiance was recited.

Commissioner Hosie asked for changes on the agenda. Interim City Manager Uri declared there was not.

### APPROVAL OF MINUTES

APPROVED

Commissioner Johnson made a motion to approve the minutes of the November 5, 2008 meeting as presented. Commissioner Lanoue seconded. Motion carried unanimously by the commissioners then present, Johnson, Jindra, Lanoue, and Hosie.

### APPROPRIATION ORDINANCE NO. #21

APPROVED

Commissioner Lanoue asked about the Tallgrass Veterinary check, which is for the police dog. Commissioner Lanoue also asked what is included in the Kansas Peace Officers Association dues. Danny Parker responded to that question. Mayor Hattan entered at 5:33 p.m. Commissioner Lanoue asked where Lambert Vet Supply is located, and questioned why the items could not be purchased locally. Commissioner Johnson asked who the vendor Gordon Janie is, on check #49939. This check was supposed to be issued to Heart of America Chapter. Commissioner Hosie made a motion to approve appropriation ordinance #21. Commissioner Lanoue seconded. Motion carried unanimously.

### PUBLIC COMMENTS:

There were no public comments.

### OLD BUSINESS:

#### APPROVE 2009 SLURRY SEAL PROJECTS AGREEMENT

Ron Copple introduced Ken Johnson of Campbell & Johnson to address the change the Commission had requested in the agreement. Mr. Johnson explained that the paragraph of concern states it protects Campbell & Johnson from the City using a project that the firm designed for another project and holding the firm liable, or for the City using the wrong specs on a project and a contractor holding the City liable. Mayor Hattan moved to approve the 2009 slurry seal projects agreement. Mayor Hattan moved to amend the motion for the Mayor to sign the agreement. Commissioner Lanoue seconded. Motion carried unanimously.

#### APPROVE BROADWAY SEWER PROJECT ENGINEERING CONTRACT

Larry Remmenga recommended accepting the sewer project engineering contract, which would replace and upsize the existing sewer line from 3<sup>rd</sup> Street to between 7<sup>th</sup> and 8<sup>th</sup> Streets. He explained that there is also an area behind the old Wal-Mart building that is in dire need of sewer replacement. He requested that be included with this project. Commissioner Hosie asked Mr. Remmenga to elaborate on the problems with this area. There was discussion on the size of the sewer line. Mr. Remmenga addressed these questions and concerns. Commissioner Hosie stated he would like more time to discuss this project, due to the cost. Mayor Hattan disagreed, stating that this project has been pushed aside for years. There was discussion of the procedure required for the use of TIF financing for this project. There was also discussion on the cost of the design engineering, a concern of Commissioner Hosie's, as this would be money spent whether or not the project was approved. Commissioner Jindra asked how many TIF development agreements remained to use the money in the TIF fund. Ruby Maline said there are possibly two, which are Shady Lake and Womack. Mayor Hattan moved to approve the Broadway sewer project engineering contract and feasibility study, design engineering for \$46,292.06, and Concordia Plaza (old Wal-Mart) design engineering for \$5000.00, with \$47,619.82 of engineering fees for supervision of construction not to be approved at this time. Commissioner Johnson seconded. Motion carried 4-1 with the vote being as follows:

Yea: Commissioners Hattan, Johnson, Jindra, and Lanoue

Nay: Commissioner Hosie

Commissioner Johnson moved to approve the Mayor to sign the revised contract for the sewer project. Commissioner Lanoue seconded. Motion carried 4-1 with the vote being as follows:

Yea: Commissioners Hattan, Johnson, Jindra, and Lanoue

Nay: Commissioner Hosie

#### NEW BUSINESS:

##### CEREAL MALT BEVERAGE LICENSE

##### CASEY'S

There were no comments. Mayor Hattan moved to approve the CMB license for Casey's. Commissioner Johnson seconded. Motion carried unanimously.

##### CEREAL MALT BEVERAGE LICENSE

##### PIZZACO

There were no comments. Commissioner Johnson moved to approve the CMB license for PizzaCo. Commissioner Lanoue seconded. Motion carried unanimously.

#### MANAGER'S REPORT:

Interim City Manager Uri said the City offices would be closed Thanksgiving Day and the day after, and Christmas Day and the day after.

#### MAYOR/COMMISSIONER COMMENTS AND REPORTS:

Commissioner Johnson asked if the financials were available for the housing authority. Interim City Manager said that the accountant has not completed their audit in two years, and in the future the housing authority would prefer to have their audit done with the City's.

Commissioner Hosie commented that possibly the library could get a reduction in insurance once the shingles are replaced. It was determined that the library pays their own insurance.

Mayor Hattan noted he has received much praise from the public for the demo of a recent house.

#### STAFF COMMENTS:

Bruno Rehbein provided a breakdown of the cost of the first demo project at 229 E. 1<sup>st</sup>. The total cost to the City was \$1785. Commissioner Lanoue requested that in the future the Commission be allowed to see the projects before paying. Other finished demo projects are 833 E. 6<sup>th</sup> and 534 E. 6<sup>th</sup>. The final two projects coming up are 219 W. 3<sup>rd</sup> and 221 W. 3<sup>rd</sup>. Mr. Rehbein said the costs of the projects so far totaled between \$3300 and \$3500.

Larry Remmenga updated the Commission on the water tower project. He stated that the crew is doing an excellent job. Also he discussed the wastewater treatment plant project, which will come before the Commission for approval at the first meeting in December.

Larry Eubanks talked about the emergency operation plan and debris management plan. He will bring this before the Commission for approval at the next meeting.

Danny Parker said that AT&T was completed with their project. The dispatchers are now being trained.

#### ADJOURN

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

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

(Seal)

  
 Stacey Crum  
 City Clerk

## MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 3, 2008

The governing body met in regular session on December 3, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Johnson, Lanoue, Jindra, and Hosie.

Absent: None

Other Officers: Interim City Manager Uri and City Clerk Crum.

Commissioner Hosie declared that a quorum was present and called the meeting to order.

Visitors: Jessica LeDuc, Toby Nosker, Jason Grogan, Marvin Copple, Ted Collins, Danny Parker, Don Lanoue, Bob Maxson, Megan Murdock, Ron Deal, Jim Ganson, Tony Studt, Janet Eubanks, Larry Eubanks, John Davis, Larry Remmenga, Ron Copple, Bruno Rehbein, Jim Stromberg, Thaniel Monaco, Steve Dailey, Ruby Maline.

Pastor Jason Grogan gave the invocation followed by the reciting of the Pledge of Allegiance.

Mayor Hattan entered at 5:32 p.m.

Mayor Hattan asked for changes on the agenda. Interim City Manager Uri said Bob Maxson of the college was in attendance and would be added under old business to discuss a recent board meeting and the college's willingness to undertake the water project as offered by the City. Another change was to remove the Disaster and Emergency Operation Plan Approval under old business, as Commissioner Lanoue requested some revisions. Under new business, Interim City Manager Uri wanted to add a discussion concerning keeping the recording of minutes, as requested by Commissioner Johnson.

### APPROVAL OF MINUTES

APPROVED

Commissioner Johnson said that the minutes showed that Ruby Maline suggested two possible TIF projects, but he questioned if there were three. Interim City Manager Uri said that the minutes reflected what was actually said, whether the figure was correct or not. Mayor Hattan made a motion to approve the minutes of the November 19, 2008 meeting as presented. Commissioner Lanoue seconded. Motion carried.

### APPROPRIATION ORDINANCE NO. #22

APPROVED

Commissioner Lanoue asked if the City would be reimbursed for the Brown Grand roof expenses. Interim City Manager said it would be turned in. Commissioner Lanoue said she preferred to see those expenses paid out of the general fund rather than the capital improvement fund. Interim City Manager Uri said staff would consider this. There was discussion over the City property hail money and where it would be receipted when received. The consensus was that expenses would be paid wherever the money would be receipted. Commissioner Johnson asked what the check to ICMA was. Ruby Maline addressed this, which is a retirement investment paid by an employee. He asked what ASFPM stood for. Bruno Rehbein answered that it is the Association of State Floodplain Managers. Commissioner Johnson also asked about underground storage tank insurance. Ron Copple answered this question. Commissioner Johnson made a motion to approve appropriation ordinance #22. Mayor Hattan seconded. Motion carried unanimously.

### PUBLIC COMMENTS:

There were no public comments.

### OLD BUSINESS:

#### DEMOLITION PROGRAM REPORT

Bruno Rehbein discussed the two demo projects included in the commissioner packets. He said there are two projects left, and that two people have already shown interest in the program for next year. There was discussion on whether the county would be open to more of these demo projects in the future for material disposal at the landfill.

#### CLOUD COUNTY COMMUNITY COLLEGE REPORT

Bob Maxson of CCCC reported on the college's November 25 board meeting. He was given the go ahead for the installation of the pump and pressure reduction valves. The Board's concern was that there would be adequate water pressure at the LaBarge House to run the sprinklers after this has been completed. Larry Remmenga said this would be no problem. Discussion included the budgeted study for the project, and when the college would like the project completed. Mayor Hattan said that according to one monthly report, the water fund is \$311,000 down from what was budgeted for revenue, and questioned whether the City has the money for this project. Mr. Remmenga said that the water department is conserving because of this issue. Mayor Hattan felt that a recent news article expressed the college's lack of appreciation for City help with this project. Interim City Manager Uri said that he would do an assessment of the budget to be sure the City could afford this project. Commissioner Jindra said he thought it was time to do what was in the best interests of the community. Mayor Hattan said that the City has already given more than what was budgeted for this project.

NEW BUSINESS:LIBRARY REPORT

Denise DeRocheFort-Reynolds reported on the success of the recent reading program. She discussed the roof replacement, which was done by Geisler Roofing at a cost of \$133,370. This came from the capital improvement fund and reflected thirteen years of budgeted savings. The library also recently added a second server, and now has wireless internet for laptops. Also, there is work being done on the Carlson Room to better display and make accessible to the public the library's considerable Frank Carlson collection.

PURCHASE CARDS AGREEMENT

Interim City Manager Uri requested putting the purchase cards agreement discussion on the next agenda, pending making some changes to the agreement. Commissioner Johnson had some concerns over several sections of the agreement, including the company's right to transfer, sign or sell the account without notification, and their right to terminate.

CONSTRUCTION OF WASTEWATER TREATMENT PLANT CONTRACT

Larry Remmenga introduced Thaniel Monaco of BG Consultants, the engineering firm on the wastewater treatment plant project. BG Consultants recommends accepting the bid from Walters-Morgan Construction from Manhattan, Kansas, not to exceed \$468,100.00, which includes bar screen and washer/compactor for \$120,195.00, and clarifier and appurtenances for \$169,200.00, and installation of equipment. This was a budgeted project for 2008. As the cash balances report shows approximately \$605,000 in the fund for November month end, Mr. Remmenga preferred to bond the project. It was decided to approve the project and go forward with attempting to bond. Commissioner Lanoue moved to authorize the mayor to sign the contract with Walters-Morgan Construction not to exceed \$468,100.00. Commissioner Johnson seconded. Motion carried unanimously.

CEREAL MALT BEVERAGE LICENSELEISZLER OIL CO.

There were no comments. Mayor Hattan moved to approve the CMB license for Leiszler Oil Co. Commissioner Lanoue seconded. Motion carried unanimously.

CEREAL MALT BEVERAGE LICENSEAMERICAN LEGION GOLF COURSE

There were no comments. Mayor Hattan moved to approve the CMB license for American Legion Golf Course. Commissioner Lanoue seconded. Motion carried unanimously.

CEREAL MALT BEVERAGE LICENSEAMERICAN LEGION CLUB

There were no comments. Mayor Hattan moved to approve the CMB license for American Legion Club. Commissioner Lanoue seconded. Motion carried unanimously.

Interim City Manager Uri said a citizen had recently requested a copy of the recorded minutes and had a question about them. Commissioner Johnson approached City Hall staff about listening to the minutes and was told there was no longer a copy of the recorded minutes. He quoted the City Clerks Manual which states: "It is important to note that the official record is the minutes after they have been approved by the governing body and any recording of the meeting held by the city should be erased." Commissioner Johnson said he believed the recordings should be kept for one year. Interim City Manager Uri suggested that the recorded minutes would not be erased until the new video equipment in the commission room is up and running, at which point the DVDs of the meetings would be kept indefinitely.

MANAGER'S REPORT:

Interim City Manager Uri talked about the tree board, consisting of the city manager, mayor, and city forester, which is Ron Copple. Any proceedings involving trees on private property, by ordinance, needed recommendation by the tree board to proceed. When ordinances were revised a number of years ago, the tree board was eliminated, but there are two references in City tree ordinances that still require recommendation by the tree board. Interim City Manager Uri said that the tree board needed reinstated, or the references to the tree board needed removed in the ordinances to allow the city forester to make decisions involving tree removal. Mayor Hattan stated that the tree board should be removed.

Interim City Manager said that the next agenda would include several year end ordinances and such, one of which is the annual employee classification scale, giving the City employees a 3% cost of living raise on current salary. Commissioner Lanoue said she thought that the department head scale was too high. Commissioner Johnson wanted a clearer understanding of the 3% raise at base compared to current salary.

MAYOR/COMMISSIONER COMMENTS AND REPORTS:

Commissioner Johnson asked if there would be a study session on the Disaster and Emergency Operation Plan. Larry Eubanks said that it could be a study session item, but that he had handed this plan to the commissioners over a month ago and had only heard comments from two commissioners. Interim City Manager Uri said that it could be a study session item at the next meeting. Also, Commissioner Johnson requested that the

answers to questions he asked about the appropriation ordinance prior to the meeting be included in the minutes. Interim City Manager Uri called for a motion to include those. Commissioner Johnson moved to include the answers to his questions in the minutes. Mayor Hattan seconded. Motion carried unanimously. The answers are as follows:

Check #50001 to Campbell & Johnson is for plans and specifications with respect to the replacement of the Brown Grand roof. The state historical society requires that specifications be submitted for replacements to historical buildings. Mark Skiles requested the work from C&J. Eric had it partially finished when Mark left. Eric asked me what to do, and I told him to finish it. Eric is making a copy of the specs for me. I will forward them to you.

Check #50015 to HWS is for the first two chapters of the airport master plan update. We received those drafts and a cover letter on November 12. I thought we made copies and delivered them to you. If we didn't, please let me know and we will do so. The two chapters cover an inventory of current assets and a forecast of aviation demand. They must be reviewed by the airport advisory board, the FAA, and KDOT before HWS proceeds with the next step of the plan. I think that FAA reimburses us for 95% of the cost. The process to request this reimbursement is underway.

Check #50021 to Karen Larson is covered by grant money that was paid to the fire department by the Kansas Board of EMS. The grants are for training. Concordia teamed with Mitchell County to host a class in pre-hospital trauma life skills. Four of our full time personnel and three of our reserves attended. Karen Larsen is the name of the person who did the training. She is affiliated with an organization called the Midwest Lifeteam Education Team.

Check # 50034 to Swenson Brewer & Long is for the services of attorneys Donna Long and Erin Riffey as city court prosecutors. My interim city manager contract permits me to hire outside counsel for this job at \$1,500.00. per month. The reason that this check is for more is that I erroneously told the city clerk to prorate the September payment as of September 17, the day I started as interim manager, when in fact Swenson Brewer & Long had been hired effective as of September 3, which is the date of my contract. They were underpaid for September, and we are now making up for that. Municipal court operates on a monthly cycle, and it needed to be in at the start of the cycle for September.

Commissioner Lanoue commended staff for the snowflakes recently installed.

Mayor Hattan passed out a sheet for the commissioners with the following numbers that he said came from the November monthly report.

<u>Fund</u>	<u>2008 Budget</u>	<u>Projected Revenue</u>	
City Sales Tax	1,100,000.00	995,000.00	(105,000.00)
County Sales Tax (City Share)	560,000.00	472,000.00	(88,000.00)
Franchise Fees (Electric, gas, telephone, cable)	538,000.00	487,000.00	(51,000.00)
Interest Income (General fund)	115,000.00	55,000.00	(60,000.00)
Building Permits	8,700.00	2,200.00	-75%
Water Sales	900,000.00	665,000.00	(235,000.00)
Sewer Charges	475,000.00	399,000.00	(75,000.00)
Water/Sewer Total	137,500.00	1,064,000.00	(311,000.00)

Commissioner Johnson commented that there were two Leiszler CMB licenses, rather than one. Mayor Hattan moved to approve the CMB license for Leiszler Oil Co. Location #2. Commissioner Lanoue seconded. Motion carried unanimously.

STAFF COMMENTS:

Larry Remmenga informed the Commission that the water tower project has been completed, and he approved of the excellent job.

Bruno Rehbein announced that he had just heard from the county and they approved doing several more demo projects for 2009.

Larry Eubanks said that he is helping with the food bank and, if he wins, will take a pie in the face at Concordia night at the college on December 10.

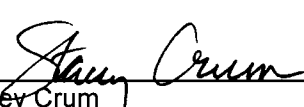
Mayor Hattan asked if the new auditor has been retained. Interim City Manager Uri said the process has begun, and soon the auditor will send the City a letter of engagement.

ADJOURN

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

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

(Seal)

  
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Stacey Crum  
City Clerk

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 17, 2008**

The governing body met in regular session on December 17, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Johnson, Lanoue, Jindra, and Hosie.

Absent: None

Other Officers: Interim City Manager Uri and City Clerk Crum.

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

Visitors: Jessica LeDuc, Toby Nosker, Danny Parker, Ron Deal, Megan Murdock, Linda Bogart, Geri Bogart, Kenton Bogart, Kyle Bogart, Tony Studt, Sara Hicks, Ron Copple, Jim Ganson, Bruno Rehbein, Joe Strecker, Don Lanoue, Marvin Copple, Ric Voelker, Larry Remmenga, Joe Walter, Larry Eubanks, Ted Collins, Janet Lowell, Kirk Lowell, Ken Johnson, Steve Dailey, Ruby Maline.

There was no invocation.

The Pledge of Allegiance was recited.

Mayor Hattan asked for changes on the agenda. Commissioner Hosie suggested a wording change on Item G, to read 2009 Professional Services Agreement – CloudCorp. He also requested that an item be added to new business entitled Discussion on City of Concordia's Financial Status.

### **AWARDS AND RECOGNITION**

Danny Parker introduced Sgt. Ric Voelker, member of the Concordia Police Dept. He read the following:

Police officers are best known for giving tickets and arresting law breakers. Many times the citizens don't appreciate this aspect of law enforcement, even though this part of protecting and serving the public is critical. On some occasions, officers exhibit their training and life saving skills in a much more visible manner. One such event occurred a couple of months ago. On October 23, 2008, we received a call at the communications center. A student at the school had passed out and was not breathing. Sgt. Ric Voelker, along with medical personnel, were notified. While in my office I observed Sgt. Voelker run out of the police department on the way to the school, and I must say I didn't know he could move that fast. Sgt. Voelker arrived and found Kyle Bogart. Kyle was not breathing, and had no pulse. Using the defibulator, Sgt. Voelker was able to restart Kyle's heart and establish breathing with the aid of one of the teachers, Mr. Wachs. I've been told by the medical professionals that without the quick actions and skills of Sgt. Voelker, Kyle would not have survived. The actions of Sgt. Voelker qualify him for the lifesaving medal which I would now like to have Kyle now present to him.

Kyle then presented Sgt. Voelker with the medal. Upon applause, Larry Eubanks presented Sgt. Voelker with a CPR Save pin, which is only given to those saving a life through CPR.

### **APPROVAL OF MINUTES**

### **APPROVED**

There were no comments. Commissioner Hosie made a motion to approve the minutes of the December 3, 2008 meeting as presented. Commissioner Lanoue seconded. Motion carried.

### **APPROPRIATION ORDINANCE NO. #23**

### **APPROVED**

Commissioner Johnson questioned if the \$42,000 listed on the back sheet was just penalties and interest, and asked if the account was current. Interim City Manager Uri affirmed that the sum was penalties and interest and that the account was current. Commissioner Hosie made a motion to approve appropriation ordinance #23. Commissioner Johnson seconded. Motion carried unanimously.

### **PUBLIC COMMENTS**

Joe Walter, representing the City's insurance, Benefit Administrative Systems, presented an info sheet to clear up some misunderstandings and to stress the savings with BAS compared to other insurance companies. He discussed administrative fees and actual costs, and projected costs through the end of the year.

### **PUBLIC HEARING**

A public hearing was held to consider special assessments for curb and gutter, and street projects. Ron Copple explained that these are the projects that the City enters into with property owners. The property owners pay for all the materials and half of the engineering. Mayor Hattan moved to close the public hearing. Commissioner Lanoue seconded. Motion carried unanimously.



## **OLD BUSINESS**

### **PURCHASE CARDS AGREEMENT**

Interim City Manager Uri discussed a new version of the purchase card contract that addressed concerns of the Commission. He said a visit could be expected from a representative of UMB Bank at the first of the year. Commissioner Lanoue asked about policies. Interim City Manager Uri said there was time to spell out these policies before activating the cards. Commissioner Lanoue moved to authorize the Mayor to sign the purchase cards agreement with UMB Bank. Commissioner Johnson seconded. Motion carried unanimously.

### **HEALTH INSURANCE**

Interim City Manager Uri discussed the fluctuating costs with BAS and the improbability of having another good year for claims to be lower than expected. Therefore, he felt, along with the staff health care committee, that the best choice for the City is the state plan with Blue Cross Blue Shield, which would have fixed costs no matter the number or amount of claims. This plan will allow the City to pick from four different insurance companies, and the rates are structured on the type of coverage and income of the employee. Interim City Manager Uri recommended Blue Cross, with a low deductible, low co-pay, and dental coverage for the employee. City employees polled agreed this is the best plan with better coverage and more providers in the network. The recommended plan includes a contribution by all employees, with the maximum amount being just over \$100 for a family plan. \$515,000 is budgeted for health care for 2009, and the employee contributions will be approximately \$52,000, which falls short of the proposed cost for the Blue Cross policy. It was agreed that money available in the health care account could cover the balance. Mayor Hattan said that they both sounded like good plans; his thoughts were that the employees should vote. Then, if claims were low for the year under the BAS plan, the option would remain open to refunding all or a portion of the contributions back to the employees. Mayor Hattan moved to approve the plan selected by employees with a contribution by employees under either company; if the choice is BAS, and the claims are low the employees would get their contributions back. Commissioner Lanoue seconded. After discussion, Mayor Hattan amended his motion that, if Blue Cross is chosen, the plan would start April 1, 2009, with BAS coverage through March 31. Motion carried unanimously.

## **NEW BUSINESS**

### **AFFIRMATION OF EXEMPT PROPERTY STATUS FOR IRB CERTIFICATIONS**

Interim City Manager Uri said this is an annual event of businesses that have received industrial revenue bonds from the City and are required to certify to the City annually that they still have property exempt from taxation. Commissioner Hosie moved to affirm the exempt property status for F&A Food Sales, Marquis Place, and Mt. Joseph Senior Village. Mayor Hattan seconded. Motion carried unanimously.

### **DESIGNATION OF OFFICIAL DEPOSITORIES**

Interim City Manager Uri explained that this names all local banks as depositories where the City may invest its funds. Commissioner Johnson asked about the City's checking account and if this is up for bids. Interim City Manager Uri said it is not. Commissioner Johnson moved to approve Citizens National Bank, Central National Bank, United Bank & Trust, Peoples Exchange Bank, and Elk State Bank as official depositories for 2009. Commissioner Lanoue seconded. Motion carried unanimously.

### **2009 PROFESSIONAL SERVICES AGREEMENT**

### **CAMPBELL & JOHNSON**

Ken Johnson of Campbell & Johnson thanked the Commission for the opportunity to work with the City for the last 30 years. He said that 2009 would be the firm's 40<sup>th</sup> anniversary. He said they have been the city engineers for the last 30 years, and had worked for the City for all years. He explained that the agreement would be for the same monthly fee of \$1100, with no increase. Commissioner Johnson moved to approve the 2009 professional services agreement with Campbell & Johnson. Commissioner Lanoue seconded. Motion carried unanimously.

### **CEREAL MALT BEVERAGE LICENSE**

### **THUNDER STRIKEZ**

There were no comments. Mayor Hattan moved to approve the CMB license for Thunder Strikez. Commissioner Hosie seconded. Motion carried unanimously.

### **CEREAL MALT BEVERAGE LICENSE**

### **WOOD OIL**

There were no comments. Commissioner Johnson moved to approve the CMB license for Wood Oil. Commissioner Lanoue seconded. Motion carried unanimously.

### **CEREAL MALT BEVERAGE LICENSE**

### **ZISTRO'S**

There were no comments. Commissioner Johnson moved to approve the CMB license for Zistro's. Commissioner Lanoue seconded. Motion carried unanimously.

**2009 PROFESSIONAL SERVICES AGREEMENT****CLOUDCORP**

Kirk Lowell of CloudCorp said that this agreement requested \$50,000 City funding, up from \$45,000 for 2008. Mr. Lowell discussed several projects for Concordia, including new businesses nearly complete as well as businesses interested in Concordia. They have four applications returned so far for the downtown improvement grant program. Commissioner Johnson asked if only \$45,000 had been approved in the budget. It was stated that the \$50,000 was approved, along with an additional \$5,000 for an independent project that might become available. Commissioner Jindra moved to approve the 2009 professional services agreement with CloudCorp. Mayor Hattan seconded. Motion carried unanimously.

**DEMOLITION PROGRAM****219 and 221 W. 3<sup>RD</sup>**

Bruno Rehbein presented the last two projects of 2008. There was discussion on the County's approval of this program for 2009. Commissioner Jindra suggested that Mr. Rehbein approach the County Commission for specific answers.

**DISCUSSION OF CITY OF CONCORDIA'S FINANCIAL STATUS**

Commissioner Hosie questioned Mayor Hattan's projected revenue figures from the last meeting. He suggested that the City was in better condition than reflected in these numbers. The revenue figures included property tax, franchise fees, and sales tax. Commissioner Hosie said that certain revenues are up, including ambulance, of which \$92,000 more has been collected as of November than budgeted. Mayor Hattan expressed his concerns that we don't account the same way we budget. Discussion on audit report figures led Commissioner Hosie to retrieve the audit reports from his vehicle. Upon returning, he provided figures from prior year audits.

**RESOLUTION 2008-1828 CLASSIFIED EMPLOYEE PAY PLAN****APPROVED**

Interim City Manager said this resolution provided for a 3% hourly raise for all non-salaried employees for 2009. Mayor Hattan made a motion to approve Resolution 2008-1828. Commissioner Johnson seconded. Motion carried 5-0 with the vote being as follows:

Yea: Commissioners Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None

**RESOLUTION 2008-1829 NON-CLASSIFIED EMPLOYEE PAY PLAN****APPROVED**

Interim City Manager explained that this resolution provided for the minimum and maximum pay of a salaried department head. Commissioner Lanoue said she would like to see the pay scale on non-classified employees to be similar to that of the classified employees. This would provide time-frame steps between evaluations and future raises. Commissioner Lanoue also suggested that the upper steps on the pay scale be eliminated. She also would like to see the city manager be allowed to give up to no more than two step increases at one time, and only with a written evaluation. Commissioner Johnson said that he was not in favor of a 3% salary increase for the department heads, which would be substantial. Interim City Manager Uri said that all discussion was reasonable, but to make changes now would not be practical, and suggested the discussion for the next budget. Mayor Hattan agreed that the salary needed to be capped at this time, rather than waiting until next year. Commissioner Lanoue made a motion to approve Resolution 2008-1829 with the changes of eliminating all the steps from LL-ZZ; to put the step increases back in which are A- B for 6 mo. evaluation, C-D for 1 yr. evaluation, E-H for 2 yr. evaluation, and 3 yr. thereafter; and only allowable for the city manager to give no more than two step increases with an excellent written evaluation, making no changes to existing salaries for department heads if these changes would lower someone's pay, but for these step increases to apply to new department heads hired after January 1 and future raises for existing department heads. Mayor Hattan seconded after agreeing this will be revisited at next year's budget. Motion carried 5-0 with the vote being as follows:

Yea: Commissioners Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None

**RESOLUTION 2008-1830 WAIVER OF GAAP****APPROVED**

Interim City Manager Uri explained this is an annual resolution to waive generally accepted accounting principles (GAAP). Commissioner Johnson made a motion to approve Resolution 2008-1830. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Commissioners Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None

**ORDINANCE 2008-2972 ASSESS SPRUCE ST. AND CURB & GUTTER COST** **APPROVED**

Interim City Manager Uri said that it was appropriate to first approve the final costs of the projects. Commissioner Lanoue moved to approve the final costs of \$23,521.22 for Spruce St., \$864.50 for 418 W. 14<sup>th</sup> St., \$2566.25 for 404 W. 9<sup>th</sup> St., \$1257.80 for 717 2<sup>nd</sup> Ave., and \$879.80 for 715 Archer St. Mayor Hattan seconded. Motion carried unanimously.

Interim City Manager Uri said this ordinance authorizes the City to assess the above amounts to the landowners. They have the option to pay up front, or apply it to their property taxes and pay over a period of several years. Commissioner Johnson made a motion to approve Ordinance 2008-2972. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Commissioners Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None

**ORDINANCE 2008-2973 TREE ORDINANCE MODIFICATIONS**

**APPROVED**

Interim City Manager Uri reminded the Commission of a previous discussion that there are still city codes that mention a tree board, city forester, and director of parks and recreation which no longer exist. This ordinance would remove these references. Mayor Hattan made a motion to approve Ordinance 2008-2973. Commissioner Johnson seconded. Motion carried 5-0 with the vote being as follows:

Yea: Commissioners Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None

**MANAGER'S REPORT**

Interim City Manager Uri had no further comment.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Jindra read from a statement displaying his concerns over what he characterized as the doom and gloom financial discussions at recent City Commission meetings.

Commissioner Johnson questioned financials of Cloud Village that he thought had been removed from the library. Interim City Manager Uri explained that there are no actual recent audits for the housing authority, and that they have asked to be included in the City's future audits. Interim City Manager Uri said he was not aware of any report having been removed from the library. Commissioner Johnson also asked about the letter from the Blosser attorney. Interim City Manager Uri explained the contents of the letter, and said that the letter had been sent after the election which did not approve the hospital, so there was no reason for further discussion on this matter.

Commissioner Hosie asked what is happening with the Corp of Engineers concerning the dam project. Interim City Manager Uri said he had called them, and it appears they will not be ready for the next step until possibly January, with no real progress on their part in the last six months.

Commissioner Lanoue requested a revenue report on pool concessions. She also questioned the lack of revenue for concessions at the sports complex. Interim City Manager Uri said that would be looked into. Commissioner Lanoue asked about the hail money that has been received so far. Vehicle money has been received, and \$59,000 on one building has been received. Ruby Maline stated more money is to come, and it will be moved to the project funds. Ron Copple said he requested that the adjuster return, as some property damage had been overlooked in the initial adjustment.

Mayor Hattan addressed Commissioner Jindra's comments.

**STAFF COMMENTS**

Ruby Maline talked about the airport project reimbursement she has requested from the FAA for \$61,797.00, which is 95% of what has been expended so far.

**ADJOURN**

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

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

(Seal)

  
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Stacey Crum  
City Clerk