

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 7, 2009**

The governing body met in regular session on January 7, 2009, 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, Ron Deal, Ted Collins, Don Lanoue, Danny Parker, Marvin Copple, Jim Ganson, Ron Copple, Megan Murdock, Bruno Rehbein, John States, Larry Remmenga, Larry Eubanks, Suzy Tuggle, Tom Tuggle, Ruby Maline.

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

Mayor Hattan asked for changes on the agenda. Commissioner Jindra requested a second executive session for non-elected personnel for five minutes and inviting Interim City Manager Uri. A study session item was added by Interim City Manager Uri to review the specifics of a new tractor purchase for the wastewater treatment plant.

### **APPROVAL OF MINUTES**

### **APPROVED**

Commissioner Johnson requested that the answer and comments be included on Commissioner Lanoue's question concerning the hail money received. Interim City Manager Uri said the minutes could be approved now, with this change to be made.

Commissioner Johnson made a motion to approve the minutes of the December 17, 2008, meeting with the change made and minutes redistributed. Mayor Hattan seconded. Motion carried.

### **APPROPRIATION ORDINANCE NO. #24**

### **APPROVED**

Commissioner Johnson asked if there were more insurance statements to come for 2008. Ruby Maline said there would be one more, but that the claims would be uncertain until all had come in. Commissioner Johnson also asked if the new fixed base operator was an employee. Interim City Manager Uri answered that he is an independent contractor. Mayor Hattan asked if a job description for the FBO could be made available. Interim City Manager Uri said that the contract contained the job description. Commissioner Johnson asked about the Garmin purchase. Larry Eubanks explained that the GPS aided in ambulance runs. Commissioner Lanoue asked who actually donated the money for the purchase at Concordia Homestore that was designated for the Rienwald Field Project. Ruby Maline said there were several donations to the memorial fund for ballfield improvements. Commissioner Lanoue said that the memorial fund money was earmarked for sports equipment for needy children. Interim City Manager said there would be a review of the fund. Commissioner Lanoue questioned the shingles purchase, and if City staff would be doing the work. Ron Copple replied that insurance did not cover the roof of a building due to the age. Commissioner Lanoue asked about the \$200 check to the Kansas Dept. of Agriculture, for the sale of pool concessions, and requested that the check be held until there was more discussion. It was noted that the check had already been sent. A refund will be requested if so needed. Mayor Hattan questioned a difference of pool concession stand revenues during budget time and a new spreadsheet distributed. Ruby Maline explained that the deposits had been receipted incorrectly early in the season.

Commissioner Hosie made a motion to approve appropriation ordinance #24. Mayor Hattan seconded. Motion carried unanimously.

### **PUBLIC COMMENTS**

There were no public comments.

### **OLD BUSINESS**

### **APPROVE TEXT OF NON-CLASSIFIED PAY RESOLUTION**

Commissioner Johnson said he would prefer the resolution list the pay steps that were approved rather than what was actually eliminated. He said he would also like the pay grades and evaluation procedures included. Commissioner Lanoue requested a copy of the pay scale. Interim City Manager Uri said the changes would be made.

### **AUTHORIZE MAYOR TO SIGN AUDITOR'S LETTER OF ENGAGEMENT**

Commissioner Lanoue asked if this letter includes language for the housing authority to have their audit done by March 31. Interim City Manager Uri stated this was not in our proposal. There was confusion whether the housing authority audit was included initially. Commissioner Lanoue stated she was uncomfortable authorizing the mayor to sign the auditor's letter when she understood the auditors to cover all

the components of the City. Interim City Manager Uri said that would be answered at the next meeting. Mayor Hattan agreed that the scope of the audit needed to be more specifically described in the audit letter.

**NEW BUSINESS**

**CEREAL MALT BEVERAGE LICENSE**

**COUNTRY HONKY TONK**

Commissioner Hosie said it seemed to him there had been more cereal malt beverage licenses to approve for 2008 than normal. Interim City Manager Uri said that for a period of time, getting these licenses approved by Commission had not been observed.

Mayor Hattan moved to approve the CMB license for Country Honky Tonk. Commissioner Lanoue seconded. Motion carried unanimously.

**CEREAL MALT BEVERAGE LICENSE**

**ROD'S FOOD STORE**

There were no comments. Mayor Hattan moved to approve the CMB license for Rod's Food Store. Commissioner Lanoue seconded. Motion carried unanimously.

Commissioner Johnson requested a list of license fees for the various CMB licenses. Interim City Manager Uri promised to provide those.

**BUDGET AMENDMENT**

Interim city manager Uri explained that a budget amendment is need to correct an unintentional discrepancy between the budged as published and the budget as approved. After publication of the budget proposed amendment, the public hearing will be held at the February 4 meeting.

**EXECUTIVE SESSION – NON- ELECTED PERSONNEL (1)**

**HELD**

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for the discussion of non-elected personnel. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:10 p.m.

The commission reconvened at 6:20 p.m.

Mayor Hattan announced there was no binding action taken.

**EXECUTIVE SESSION – NON- ELECTED PERSONNEL (1)**

**HELD**

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for the discussion of non-elected personnel. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time 6:20 p.m.

The commission reconvened at 6:30 p.m.

Mayor Hattan announced there was no binding action taken.

**EXECUTIVE SESSION – NON- ELECTED PERSONNEL (2)**

**HELD**

Commissioner Jindra moved that the commission recess into executive session for five (5) minutes for the discussion of non-elected personnel. Inviting: Interim City Manager Uri. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:30 p.m.

The commission reconvened at 6:35 p.m.

Mayor Hattan announced there was no binding action taken.

**EXECUTIVE SESSION – NON- ELECTED PERSONNEL (2)****HELD**

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for the discussion of non-elected personnel. Inviting: Interim City Manager Uri. Commissioner Jindra seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:35 p.m.

The commission reconvened at 6:45 p.m.

Mayor Hattan announced there was no binding action taken.

**MANAGER'S REPORT**

Interim City Manager Uri reported that Paul Justyna had begun the installation of the video cameras. He also provided the commissioners a sample of the new purchase cards. He discussed the pool report that had been distributed to the Commission. This report showed the expenses and revenues of the pool concession stand the past season. Also, three months of the budget reconciliations were shared. Interim City Manager Uri was unable to say when future reconciliations would be made available, but they will be given to the Commission as they are completed.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Jindra said he would like to see a meeting in the next few weeks with other taxing entities involved with the TIF district. This would include past and present partners.

Commissioner Hosie asked what was happening with the Corp of Engineers on the dam project. Interim City Manager Uri said he had been unable to contact them. Commissioner Hosie voiced his concerns on bringing the ambulance billing back, as the medical billing service has collected more money than in the past. He also talked of landowners north of town who had called him, concerned that they might be annexed into the city limits. Interim City Manager Uri said that the plans under discussion for the north development would only include those wanting to be annexed.

Mayor Hattan suggested making ambulance billing a study session item for next meeting, with the pros and cons of bringing this back in house. He also shared supporting documents to follow up his comments on financials from last meeting.

**STAFF COMMENTS**

Bruno Rehbein informed the Commission that the County landfill had agreed to accept six more homes for 2009 for the demo program.

Larry Eubanks praised the medical billing service for what they've done with the ambulance billing, but expressed his confidence in staff to handle this task. He also said that two CPR Save buttons will be awarded to college personnel for a cardiac arrest in 2008. Mr. Eubanks talked of a grant he'd received for \$38,000 for bunker gear. This is a 5% match, which means his department will spend \$1900 and all bunker gear will be replaced.

**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 Johnson seconded. Motion carried unanimously.

(Seal)

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

2009

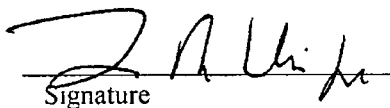
**Notice of Budget Hearing for Amending the  
2009 Budget**

The governing body of  
City of Concordia  
will meet on the day of February 4, 2009, at 5:30 p.m. at City Hall Commission Chambers for the purpose of  
hearing and answering objections of taxpayers relating to the proposed amended use of funds.

Detailed budget information is available at City Hall, 701 Washington  
and will be available at this hearing.

**Summary of Amendments**

Fund	2009 Adopted Budget			2009 Proposed Amended Expenditures
	Actual Tax Rate	Amount of Tax that was Levied	Expenditures	
General Fund	37.128	898,469	4,096,479	4,161,711
0			0	0
0			0	0
0			0	0
0			0	0
0			0	0

  
Signature

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 21, 2009**

The governing body met in regular session on January 21, 2009, 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, Kirk Lowell, Brad Waller, Roy Reif, Don Lanoue, Danny Parker, Bob Wasko, Beldon Blosser, Jim Ganson, John States, Ron Copple, Ted Collins, Ron Deal, Megan Murdock, Sara Hicks, Katrina Sorell, Phil Gilliland, Tony Studt, Ben Retter, Mike Johnson, Maggie Johnson, Tom Tuggle, Larry Remmenga, Cathy Feriend, Marvin Copple, Jean Rosemary, Marcia Allen, Larry Eubanks, Nicholas Hughes, Billi Burkett, Rodney Hake, Nathan Sicard, Rico McCall, Justin Brown, Tammy Britt, Art Slaughter, Denise deRocheffort-Reynolds, Janet Lowell, Tom Gennette, Ruby Maline.

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

Mayor Hattan asked for changes on the agenda. Interim City Manager Uri added an executive session for preliminary discussion for acquisition of real estate.

### **APPROVAL OF MINUTES**

### **APPROVED**

There were no comments. Commissioner Johnson moved to approve the minutes of the January 7, 2009, meeting. Commissioner Lanoue seconded. Motion carried.

### **APPROPRIATION ORDINANCE NO. #1**

### **APPROVED**

Commissioner Lanoue noted that there are expenditures for both 2008 and 2009 on this appropriation, and questioned if these will be separated by budget years. Ruby Maline stated they would.

Mayor Hattan moved to approve appropriation ordinance #1. Commissioner Hosie seconded. Motion carried unanimously.

### **PUBLIC COMMENTS**

Denise deRocheffort-Reynolds from the Frank Carlson Library discussed an upcoming program on Frank Carlson which will be Friday at 7 p.m. at Cloud County Community College's Cook Theatre.

### **OLD BUSINESS**

### **PURCHASING CARDS POLICY**

Interim City Manager Uri said this is the same policy before the commission at last meeting, with the discussed changes. He also noted there is a policy statement to be approved along with the purchasing cards policy Resolution 2009-1831.

Commissioner Johnson moved to approve Resolution 2009-1831. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

### **APPROVE TEXT OF NON-CLASSIFIED PAY RESOLUTION**

A new non-classified pay scale was passed out, reflecting changes on the resolution.

Mayor Hattan moved to approve Resolution 2008-1829. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

### **AUTHORIZE MAYOR TO SIGN AUDITOR'S LETTER OF ENGAGEMENT**

This reflects clarification on the scope of services by the auditor. The audit will include the public library, not to exceed \$12,450, which includes travel and out-of-pocket expenses. The housing authority's audit will be done at a cost to the housing authority, which has the money to pay. Commissioner Lanoue requested that the auditor interview the mayor, and to add this to the agreement. Interim City Manager Uri

suggested that this discussion not be continued further, as he felt it was time to get the auditor hired. He agreed to ask for this item in a letter to the auditor.

Commissioner Hosie moved to authorize the mayor to sign the auditor's letter of engagement. Commissioner Lanoue seconded. Motion carried unanimously.

## **NEW BUSINESS**

### **AIRPORT ADVISORY BOARD RECOMMENDATION – TAXIWAY RECONSTRUCTION PROJECT**

Kirk Lowell introduced Brad Waller of HWS Consulting Group, project manager of airport projects. Mr. Waller explained how FAA grant money is distributed. Airport projects can be funded by three different methods. The first is a 75%-25% match, with the 25% paid by the City. The second is discretionary funds from the FAA, drawn from a pool of money with a 95%-5% match. The third method is general entitlement funds from the FAA, which is also a 95%-5% match. The airport would receive \$150,000 every year, with the capability to bank up to four years. He said at this time the City has \$483,000 of banked funds. Mr. Waller said there is currently \$33,000 of KDOT funds which will be lost if not used by February 2. The total cost of the taxiway project is \$375,000, which is for design and construction. \$18,500 would be the City's portion. Mr. Waller asked the Commission to approve the design for the taxiway only, at this point, which would be \$29,100; the City's portion is \$1,600. Mr. Waller addressed Mayor Hattan's question of the time frame of receiving the money. Commissioner Johnson asked if the total \$483,000 would be lost if not used by February 2, to which Mr. Waller answered it would just be the \$33,000.

Kirk Lowell asked that the mayor or city manager be authorized to sign the HWS contract, and to authorize the city manager to sign the grant application, both of which need to be turned in to the FAA before February 2. The grant application will be for \$29,120, and will reflect the City's match of 5%.

Commissioner Hosie moved to authorize the city manager to sign the HWS contract for taxiway design, and to sign the grant application. Mayor Hattan seconded. Motion carried unanimously.

### **TIF ELIGIBLE EXPENSE REIMBURSEMENT REQUEST – SHADY LAKE DEVELOPMENT/TACO JOHN'S**

Kirk Lowell talked about the Shady Lake Development, which has needed improvement in order to interest new business. MSMT LLC, the owner of the property, has improved the area and recently sold land to Tim Parker for the new Taco John's. Tom Tuggle was on hand representing MSMT LLC, consisting of Tom & Suzi Tuggle and Mike & Maggie Johnson. Mr. Tuggle requested TIF money on the Shady Lake property. MSMT LLC has incurred costs of over \$250,000. Mr. Tuggle shared what has been done for development of this property and future plans for the area.

Kirk Lowell gave a presentation explaining TIF eligible funds, which by Kansas law and the City's development agreement amounts to \$225,433. The cost of land by private ownership is not reimbursable for TIF funds. Ineligible funds of land purchase, bank interest, and land sale to Taco John's was computed, totaling \$24,300. Mr. Lowell gave a TIF eligible figure of \$201,134, and an estimated bond and interest rate of 2.4%-2.5%. Eleven years of increment will be collected. Mr. Lowell gave figures of property taxes and assessed value of this real estate. At this point, MSMT LLC is eligible to receive \$190,483 in TIF funds.

Commissioner Lanoue moved to authorize payment of \$190,483 from TIF funds for Shady Lake Development/Taco John's project for reimbursement of eligible TIF expenditures to MSMT LLC. Mayor Hattan seconded. Motion carried unanimously. Mayor Hattan thanked the local banks for helping out these projects.

## **RESOURCE COUNCIL – REQUEST OF FUNDS**

Cathy Feriend of the Resource Council requested the \$12,000 that was budgeted for 2009. She gave a report of the number of households served by the Resource Council, and the amount of assistance given.

Interim City Manager Uri noted that \$12,000 was budgeted for the Resource Council, and \$4,000 was budgeted for the Senior Citizens Center. He asked the Commission if they wanted to approve both amounts, or ask a representative of the Senior Citizens Center to request the funds. It was decided both amounts would be authorized.

Mayor Hattan moved to authorize payment of \$12,000 to the Resource Council and \$4,000 to the Senior Citizens Center. Commissioner Lanoue seconded. Motion carried unanimously.

## **MANAGER'S REPORT**

Interim City Manager Uri stressed the urgency of the City getting a share of the stimulus money possibly coming out of Washington this year.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson questioned if the financial back page should be labeled Appropriation Ordinance #1, rather than #2. It was determined it should be #1.

Commissioner Hosie said that he has tickets for CloudCorp's annual meeting, if anyone wants them.

**STAFF COMMENTS**

There were no comments.

**EXECUTIVE SESSION – PRELIMINARY DISCUSSION FOR REAL ESTATE ACQUISITION**     **HELD**

Mayor Hattan moved that the commission recess into executive session for twelve (12) minutes for the preliminary discussion of real estate acquisition. Inviting: Interim City Manager Uri. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:48 p.m.

The commission reconvened at 7:00 p.m.

Mayor Hattan announced there was no binding action taken.

**EXECUTIVE SESSION – PRELIMINARY DISCUSSION FOR REAL ESTATE ACQUISITION**     **HELD**

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for the preliminary discussion of real estate acquisition. Inviting: Interim City Manager Uri, Beldon Blosser, and his attorney [Robert Wasko]. Commissioner Johnson seconded. Motion carried by the following vote:

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

Nay: None.

Time: 7:01 p.m.

The commission reconvened at 7:11 p.m.

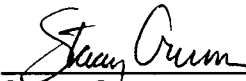
Mayor Hattan announced there was no binding action taken.

**ADJOURN**

Mayor Hattan announced there would be a study session following the adjournment of the meeting.

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

(Seal)

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

City of Concordia, Kansas  
**Airport Advisory Board**

Recommendation To  
City Commission

**Taxiway Reconstruction  
Project**

January 21, 2009



**Blosser  
Municipal Airport**

- Primary Runway 17/35 is 3,600' x 60' (Asphalt)
- Two Secondary Turf Runways
  - Runway 12/30 is 2,263' x 265'
  - Runway 3/21 is 1,628' x 255'
- Airport is equipped with:
  - Non-Directional Beacon
  - Windcone
  - Segmented Circle
  - Lighted Wind Tee
- 9 Based Aircraft
- 18 Total Hangar Spaces Available







## Blosser Municipal Airport

- Why is the airport important?
  - Economic Development
    - Every dollar spent on aviation generates an additional \$1.52 in economic activity.
      - With FAA paying 95%, that jumps to \$30.40 for every dollar spent by the City of Concordia
    - For every job at the airport, nearly three are created in the visitor- related economy
    - Aviation related businesses and their employees annually contribute \$105 million in local taxes
  - Agricultural Business
  - Medical Community
  - Recreation
  - Miscellaneous



## Blosser Municipal Airport

- Airport Funding Sources
  - KDOT funds (75% match)
    - Must be selected for program
  - FAA Discretionary Funds (95% match)
    - Must be selected for program
  - FAA Entitlement funds (95% match)
    - \$150,000 per year to your airport
    - Can be accrued for maximum of 4 years (\$600,000)





## Blosser Municipal Airport

FY-06	FY-07	FY-08	FY-09	TOTAL
\$33,000	\$150,000	\$150,000	\$150,000	\$483,000

- In the upcoming year, Concordia has \$483,000
- The \$33,000 must be **locally** committed by February 2, 2009 or lose it.
  - ONLY 4 Years can accrue.
- City Commission Has Two Options:
  1. Do nothing (lose the Federal money)
  2. Initiate a Project to utilize the money



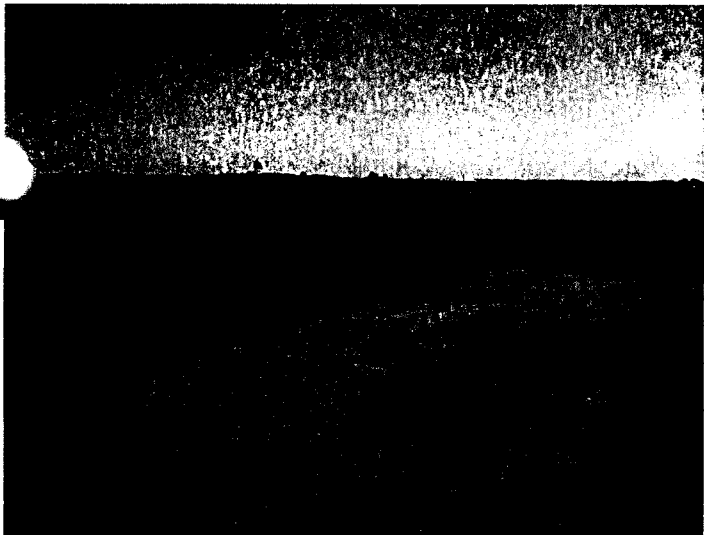
## Blosser Municipal Airport

- Taxiway Reconstruction Project
  - Approved by Airport Advisory Board on January 13, 2009
  - Estimated Total Cost: \$375,000
    - Engineering Cost Per Proposed Contract: \$29,120
    - Estimated Construction Cost: \$345,880
- FAA Portion (95%): \$356,250
  - FAA considers this the #1 project for Blosser Municipal Airport
  - FAA has approved design phase of this project pending Congressional Authorization in 2009
- Concordia Portion (5%): \$18,750
  - Total Local Airport Funds Available In 2009: **\$20,897**
    - Concordia Airport Restricted Funds: \$11,274
    - Concordia Airport Non-Restricted Funds: \$1,589
    - Year 2009 Farm Lease Income: \$8,034

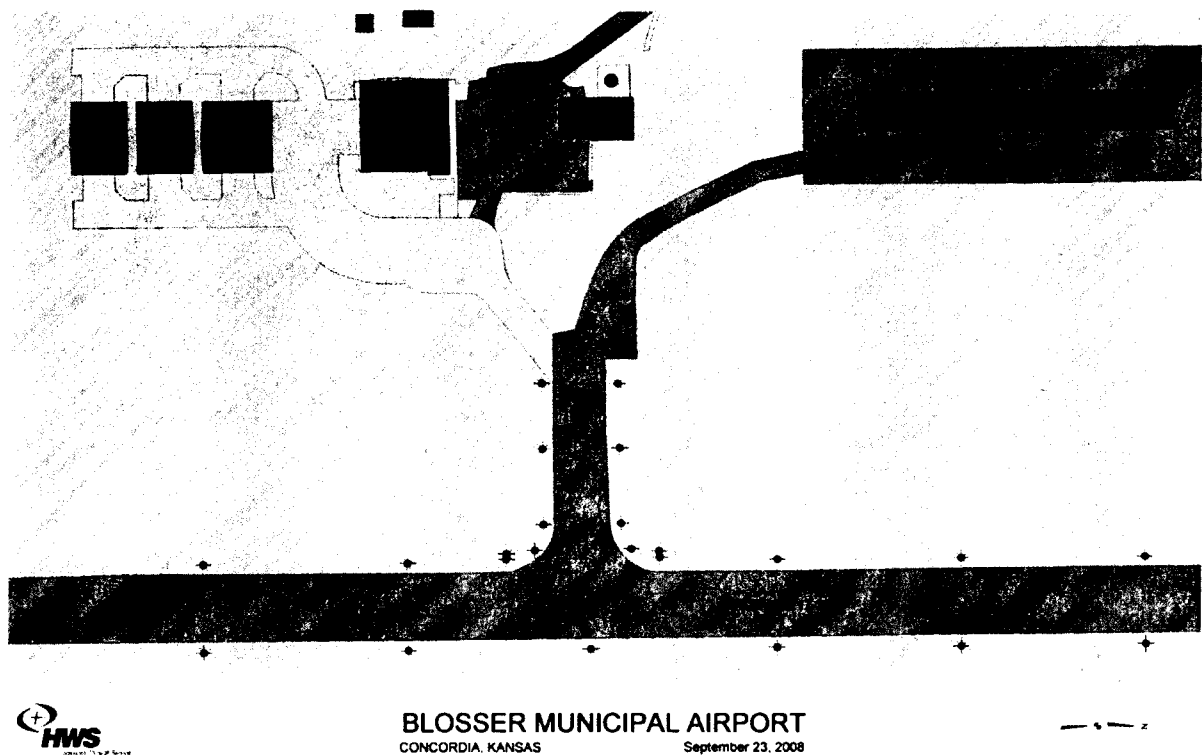


Blosser Municipal Airport

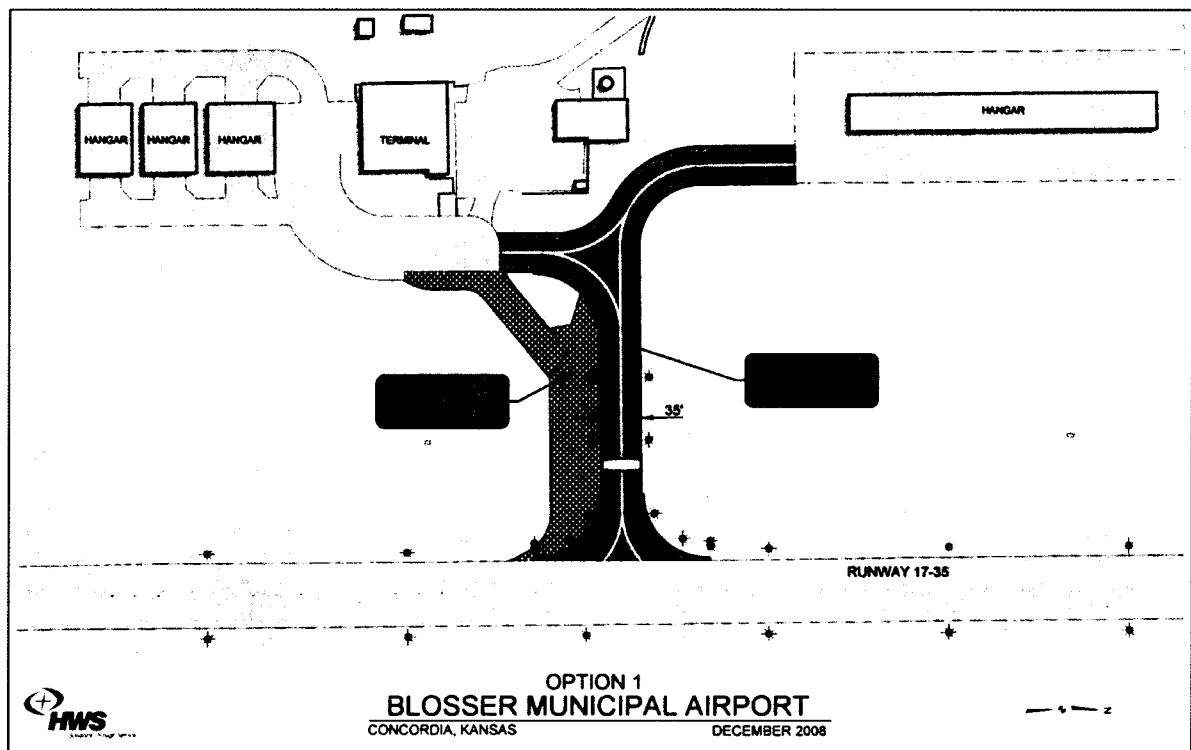
Existing Dilapidated Taxiway



Plan View of Existing Taxiway



Plan View of Proposed Taxiway Reconstruction Project (Tentative)



This is a **conceptual plan** acceptable to the Airport Advisory Board and City Staff. However, the Advisory Board and City Staff will be involved in the details of the actual design engineering of the project. Therefore, the **final plan** may differ from the conceptual plan.

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 4, 2009**

The governing body met in regular session on February 4, 2009, 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, Jean Rosemary Noski, Marcia Allen, Kirk Lowell, Megan Murdock, Katrina Sorell, Bruno Rehbein, Brandon Lynn, Tony Studt, Danny Parker, Judy Lambert, Darrell Lambert, Regina Ann Brummel, Don Lanoue, Jim Ganson, Ron Deal, Larry Remmenga, Larry Eubanks, Ron Copple, Marvin Copple, S. Judy Stephens, Janet Eubanks, Tammy Britt, Everett Ford, Ruby Maline.

Pastor Jason Grogan gave the invocation followed by the reciting of the Pledge of Allegiance.

Mayor Hattan asked for changes on the agenda. Interim City Manager Uri added public discussion after the executive session for non-elected personnel.

### **APPROVAL OF MINUTES**

### **APPROVED**

It was brought to Interim City Manager Uri's attention that the second executive session's time should be changed to say 10 minutes, rather than 12 minutes. Commissioner Lanoue asked that Beldon Blosser's attorney's name be added in brackets as being invited to the executive session.

Mayor Hattan moved to approve the minutes of the January 21, 2009, meeting as amended. Commissioner Lanoue seconded. Motion carried unanimously.

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

### **APPROVED**

There were no comments.

Commissioner Hosie moved to approve appropriation ordinance #2. Commissioner Lanoue seconded. Motion carried unanimously.

### **PUBLIC COMMENTS**

There were no public comments.

### **PUBLIC HEARING**

### **HELD**

The unintentional discrepancy between the budget as published and the budget as approved was explained to the public. Commissioner Johnson asked about the \$43,508 difference in nondepartmental, and received clarification from Ruby Maline that this was the difference between original budgeted revenues and original budgeted expenditures and relates specifically to delinquent taxes that were not paid and the accompanying penalty. Commissioner Hosie said he would like to see the \$21,724 extra funds generated by this discrepancy placed in a separate line and added into the unencumbered balance for 2010. This would help reduce the mill levy for 2010. Mayor Hattan agreed it would be best to address these funds during the budget process. Interim City Manager Uri stated that the funds would be separately tracked.

Mayor Hattan moved to close the public hearing. Commissioner Johnson seconded. Motion carried unanimously.

### **APPOINTMENTS**

### **BOARD OF ZONING APPEALS HOUSING AUTHORITY**

Bruno Rehbein recommended appointing Cathy Miller to fill a position vacant for over a year, and Ted Samuelson, who has served for many years and expressed an interest to continue on the board.

Mayor Hattan moved to appoint Cathy Miller and Ted Samuelson to the Board of Zoning Appeals. Commissioner Lanoue seconded. Motion carried unanimously.

Mayor Hattan moved to appoint Cathy Miller to the Housing Authority board. Commissioner Hosie seconded. Motion carried unanimously.

**NEW BUSINESS**

**AMBULANCE BILLING**

Interim City Manager Uri said that the process has begun to bring ambulance billing back in-house with a staff member beginning training. The software now needs purchased for an approximate cost of \$1000. Commissioner Hosie expressed reservations, as DeLisa's Medical Billing has far surpassed collections received compared to prior years. Although Commissioner Jindra agreed with Commissioner Hosie, he said it was a manager decision and the commission should not override this.

**DEED TO HISTORICAL SOCIETY**

Nine (9) feet of the property at 6<sup>th</sup> & Lincoln needs deeded to the Historical Society in order for the wall project to be completed, giving room for the bricks. The entire property, with the parking lot, could not be deeded as the State had given the City money for a public parking lot.

Mayor Hattan moved to approve the deed to the Historical Society. Commissioner Lanoue seconded. Motion carried unanimously.

**DEMOLITION PROGRAM**

**507 E. 6th**

Bruno Rehbein discussed 507 E. 6<sup>th</sup> as a demo project. These projects can't be completed until after March 1, allowing for the completion of the new demolition pit at the landfill.

Commissioner Johnson moved to accept 507 E. 6<sup>th</sup> as a demo project. Commissioner Lanoue seconded. Motion carried unanimously.

**STREET IMPROVEMENT ENGINEERING CONTRACTS**

Public Works Director Ron Copple and Interim City Manager Uri talked of the stimulus money coming out of Washington, and how these projects could possibly be used for funds the City may receive. However, most projects would need to be "shovel-ready" for the funds to be appropriated. The projects are as follows:

<i>Project</i>	<i>Design Cost</i>	<i>Total Project Cost</i>
5 <sup>th</sup> Street	\$106,124.00	\$1,575,532.50
18 <sup>th</sup> Street	\$ 71,300.00	\$ 866,340.00
Washington Street Storm Sewer	\$ 6,750.00	\$ 82,350.00

Commissioner Lanoue asked if any of the projects contained a highway, as she had heard this federal money would go for highways and bridges. Mr. Copple answered that the 5<sup>th</sup> Street project covered the highway. He also added that 18<sup>th</sup> Street is on the five year plan. Mayor Hattan received clarification that if these projects were given the go-ahead for the design work, and no federal money was available, there would not be money left for the slurry seal program for 2009. Commissioner Hosie expressed concerns over this, given the fact that the City went many years without sealing the streets. Commissioner Johnson asked if all streets could be finished this year. Mr. Copple said that the slurry seal project would be completed by 2012. For a project that will be ready to go, engineering for the sewer on Broadway project was approved a few weeks ago and any federal funds could possibly be used on that. It was the consensus of the commission that the slurry seal project is too important to sacrifice.

**FIREFIGHTER'S RELIEF FUND**

Larry Eubanks explained that this gives 1% of fire insurance that the State of Kansas gets, which amounts to approximately \$10,000 per year. This fund helps families of fallen firefighters. In the past, Engine #2 was purchased with this money, on a 0% interest loan to the City.

Commissioner Lanoue moved to authorize the mayor to sign the firefighter's relief fund agreement. Commissioner Johnson seconded. Motion carried unanimously.

**ORDINANCES**

**#2009-2974 BUDGET AMENDMENT**

**PASSED**

This ordinance relates to the earlier public hearing. Mayor Hattan restated the idea of addressing these funds of \$21,724 during the next budget process.

Commissioner Johnson made a motion to approve ordinance #2009-2974. Mayor Hattan seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

**MANAGER'S REPORT**

Interim City Manager Uri said the Cloud County Community College Board of Trustees had questions on the water pressure improvement project, and wanted a meeting as soon as possible. A date was agreed upon with all commissioners to meet at City Hall on February 16 with the Board.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Hosie discussed the money found in a manila envelope at City Hall by City Clerk Crum, and wanted to know if there was other cash held by any department. Interim City Manager Uri said that the city shop has a box for the sale of bulk water, the police department keeps a small petty cash fund that is accounted for as well as cash held in the evidence locker, and there is a donation box at the airport.

**EXECUTIVE SESSION – PRELIMINARY DISCUSSION FOR REAL ESTATE ACQUISITION      HELD**

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for the preliminary discussion of real estate acquisition. Inviting: Interim City Manager Uri. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:13 p.m.

The commission reconvened at 6:23 p.m.

Mayor Hattan announced there was no binding action taken.

**EXECUTIVE SESSION – PRELIMINARY DISCUSSION FOR REAL ESTATE ACQUISITION      HELD**

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for the preliminary discussion of real estate acquisition. Commissioner Jindra seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:24 p.m.

The commission reconvened at 6:34 p.m.

Mayor Hattan announced there was no binding action taken.

Interim City Manager Uri suggested having staff comments before the next executive session.

**STAFF COMMENTS**

Ruby Maline presented the January 2009 Statement of Activities and Statement of Changes in Revenues, Expenditures, and Fund Balance and explained what the reports represented and how to interpret them. She also explained that she would be providing a couple of other reports that will show budget to actual and changes in cash.

Larry Eubanks gave a report on the vehicle purchased for City use. He said that the vehicle has been used 14,466 miles since purchased, and at 58.5 cents per mile, this has saved the City over \$8,000 in expense reimbursements to employees.

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

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for the preliminary discussion of non-elected personnel. Inviting: Interim City Manager Uri. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:43 p.m.

The commission reconvened at 6:53 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 ten (10) minutes for the preliminary discussion of non-elected personnel. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:54 p.m.

The commission reconvened at 7:04 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 ten (10) minutes for the preliminary discussion of non-elected personnel. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 7:05 p.m.

The commission reconvened at 7:15 p.m.

Mayor Hattan announced there was no binding action taken.

Mayor Hattan discussed the ongoing city manager search. Of the four interviewed, Tony Studt and Larry Uri were given second interviews. There was discussion by all commissioners on the pros and cons of both candidates.

Commissioner Johnson moved to hire Tony Studt as city manager. Motion died for lack of a second.

Mayor Hattan moved to continue Larry Uri's interim contract through 2009 on the same terms, and include provisions for ICMA and Kansas City Managers Association, to have access to his membership in those organizations. Commissioner Lanoue seconded. Motion carried 4-1 with the vote being as follows:

Aye: Commissioners Hattan, Jindra, Hosie, and Lanoue.

Nay: Commissioner Johnson.


Mayor Hattan thanked Tony Studt for his interest in this position.

**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 Grum  
 City Clerk



**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 18, 2009**

The governing body met in regular session on February 18, 2009, 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, Danny Parker, Shirley Gropp, Chris Workman, Holly Thoman, Randy Wise, Sr. Mary Jo Thummel, Sr. Clarene Kennedy, Don Lanoue, James Ganson, Ron Deal, Larry Remmenga, Marvin Copple, Ted Collins, Susan Sutton, Ron Copple, Susan Cantine-Maxson, Kirk Lowell, Larry Eubanks, Jason Grogan.

Pastor Jason Grogan gave the invocation followed by the reciting of the Pledge of Allegiance.

Mayor Hattan asked for changes on the agenda. Interim City Manager Uri added an executive session for discussion of confidential business data. A study session item also was added to discuss the engineering study agreement of the college water project. Commissioner Hosie asked whether the interim city manager contract should be approved. Upon agreement of this, it was decided to add this item under new business. Commissioner Johnson requested that a discussion of the possibility of a new insurance company with the City be placed under new business. Interim City Manager Uri suggested it be placed under public comments.

**APPROVAL OF MINUTES**

**APPROVED**

Commissioner Johnson asked that the budget amendment, ordinance #2009-2974, state the amount of the funds, which is \$21,724, plus the delinquent taxes and penalty of \$43,508. He also requested a new copy of the minutes when corrected.

Commissioner Johnson moved to approve the minutes of the February 4, 2009, meeting as amended. Commissioner Lanoue seconded. Motion carried unanimously.

**APPROPRIATION ORDINANCE NO. #3**

**APPROVED**

Commissioner Johnson asked what Harrison/Dyna-Linc was, in regards to ambulance billing. Interim City Manager said it was for the purchase of the billing software.

Mayor Hattan moved to approve appropriation ordinance #3. Commissioner Hosie seconded. Motion carried unanimously.

**PUBLIC COMMENTS**

Shirley Gropp of People's Insurance proposed that her company be allowed to quote the City's liability insurance. The current company is IMA in Wichita, which is the carrier for EMC Insurance. People's now offers EMC Insurance. Ms. Gropp stated that moving the City's policy to a local company would be in the City's best interests. She also said that People's would not charge service fees, as IMA does. Commissioner Lanoue said that the League of Kansas Municipalities does the work comp through KMIT, and they offer training and benefits that make it advantageous to stay with them for work comp. Ms. Gropp was asking for two signatures to be able to quote the upcoming renewal, which is April 1. Mayor Hattan suggested that this be added as a new business item for later in the meeting.

**OLD BUSINESS**

**FAA GRANT APPROVAL**

Interim City Manager Uri said this grant had been discussed previously and voted on. A motion was needed to authorize the mayor to sign the grant documents.

Commissioner Hosie moved to authorize the mayor to sign the FAA grant document. Commissioner Johnson seconded. Motion carried unanimously.

**NEW BUSINESS**

**STREET EQUIPMENT BIDS**

Ron Copple presented bids for three different pieces of equipment for the street department. Received bids for asphalt paver, trailer and compactor were as follows:

<i>Equipment</i>	<i>Bidder</i>	<i>Amount</i>	<i>w/trade</i>	<i>Final Bid</i>
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Asphalt Paver	Puckett Mfg.	\$46,150.00	---	\$46,150.00
Trailer	G.W. Van Keppel Co.	\$11,513.00	---	\$11,513.00
Trailer	Krier Farm Supply	\$8,860.00	---	\$8,860.00
Compactor	Sellers Equipment	\$40,712.00	\$2,700.00	\$38,012.00
Compactor	Martin Tractor	\$35,145.42	\$0	\$35,145.42
Compactor	G.W. Van Keppel Co.	\$34,918.00	\$2,000.00	\$32,918.00

Staff recommendation was to purchase the paver from Puckett Mfg. for \$46,150.00, the trailer from Krier Farm Supply for \$8,860.00, and the compactor from Martin Tractor for \$35,145.42. The consensus was to purchase the compactor from the local dealer, even though they were slightly higher, as they are a local taxpayer. The trade can be sold on Purple Wave.

There was discussion on specs on the asphalt paver, and Hall Brothers' and the County's hot mix plants.

Mayor Hattan moved to approve staff's recommendation on asphalt paver, trailer, and compactor. Commissioner Johnson seconded. Motion carried unanimously.

GRANT FUNDS FOR POLICE DEPARTMENT VOICE RECORDER

VOICE PRODUCTS, INC.

Danny Parker explained the function of the voice recorder, which records all traffic between emergency personnel. The bids for the voice recorder were as follows:

<i>Bidder</i>	<i>Amount</i>	<i>w/trade</i>	<i>Final Bid</i>
Grabar	\$31,024.00	\$0	\$31,024.00
Voice Products, Inc.	\$28,029.00	\$2,197.00	\$25,842.00

Staff recommendation was to purchase the voice recorder from Voice Products, Inc., which has provided excellent service in the past. Grant funds of \$35,000 have been approved. A new radio system is also needed, at a cost of approximately \$45,000. With the \$25,000 purchase price for the voice recorder, this would leave a balance of \$10,000 in grant funds which could be used to help purchase the radio system.

Commissioner Hosie moved to accept the bid from Voice Products, Inc. for \$25,842.00 with trade. Commissioner Lanoue seconded. Motion carried unanimously.

ACCEPT SERVER BID

COMPUTER SOLUTIONS

Interim City Manager Uri said that bids for a server had been received from two local companies. The bids were as follows:

<i>Bidder</i>	<i>Total Bid</i>
CompuDoc	\$3,868.94
Computer Solutions	\$8,487.00

It was determined that the difference in price was due to CompuDoc only upgrading the existing server, rather than replacing it. Also they would provide a custom-built server, whereas Computer Solutions' would be an HP. The Computer Solutions bid includes a digital backup system not included in the CompuDoc bid. Computer Solution's bid did not include the off-site backup, which would be approximately \$300 per month.

Interim City Manager Uri said that staff's recommendation was to go with Computer Solutions in spite of the higher bid, due to their history with the City, the name brand server, and longevity of the company. Commissioner Lanoue asked if there would be an agreement for confidentiality and HIPAA, since the City's files would be located at an off-site location. City Manager Uri said that this concern would be addressed with Computer Solutions.

Commissioner Lanoue moved to accept the bid from Computer Solutions for \$8,487.00. Mayor Hattan seconded. Motion carried unanimously.

Interim City Manager Uri said he'd also like Commission's approval for the off-site backup for approximately \$300 per month. Commissioner Johnson moved to approve the off-site backup with Computer Solutions. Mayor Hattan seconded. Motion carried unanimously.

APPLICATION FOR HERITAGE TRUST FUND GRANT

BROWN GRAND THEATRE

Susan Cantine-Maxson, Brown Grand Theatre Executive Director, discussed the grant that the Brown Grand Theatre is hoping to receive. She talked of the repairs that the theatre has placed on high priority for this grant. This project, if approved by the Historical Society, would pay up to \$90,000 of the \$125,690 projected cost, and funds must be found to make up the difference between the total costs and the grant money. As a city-owned building, the City would become the grant facilitator, and all project-related bills and payments would pass through the City. If approved, the Brown Grand would have two years to complete the project.

Commissioner Jindra moved to authorize the Brown Grand Board of Directors to file for the Heritage Trust Fund Grant. Commissioner Johnson seconded. Motion carried unanimously.

Mayor Hattan informed Ms. Cantine-Maxson that the dispensing of additional funds from the City for the Brown Grand could be addressed during budget time.

#### **CITY MANAGER CONTRACT EXTENSION**

#### **APPROVED**

Commissioner Johnson asked that Item D containing language of the contract running into 2010 be omitted. Commissioner Johnson also questioned whether the city attorney duties should be bid. Interim City Manager Uri said that he regarded the choice of attorney as a personnel matter.

Commissioner Johnson moved to accept the city manager agreement with Section 2 Item D eliminated. Mayor Hattan seconded. Motion carried unanimously.

#### **AUTHORIZE SIGNING OF AGENT RECORD CHANGE LETTER**

#### **PEOPLE'S INSURANCE**

Commissioner Johnson moved to authorize the mayor and city manager to sign the record change letter allowing People's Insurance to bid the City's liability insurance. Commissioner Lanoue seconded. Motion carried unanimously.

#### **MANAGER'S REPORT**

Interim City Manager Uri said a study session item might be added to discuss a meeting date with other governing bodies in the City about TIF history and future. Mayor Hattan preferred to put this off until a later date pending a report on TIF projects. Interim City Manager Uri promised the report for the next meeting.

Interim City Manager Uri also said that KDOT has been requesting information on projects relating to the stimulus money coming out of Washington. Low income housing might be one project for which the City could receive money.

#### **MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson requested a simplified revenue report each month rather than the lengthy ones that have been supplied. Interim City Manager Uri said he would discuss this with Ruby Maline.

Commissioner Hosie asked if anyone was representing the City at the regional planning office in Beloit. Interim City Manager Uri said he was now the contact person.

Interim City Manager Uri answered Commissioner Hosie's question about the status of the flood control project, stating that the Corps of Engineers has hired a contractor to do a damage assessment, cost-benefit study that is due to be completed in April. Interim City Manager Uri has inquired about the possibility of stimulus money for this project, and will inquire further.

#### **STAFF COMMENTS**

Larry Eubanks reminded the Commission that the City already has the LMI [low to moderate income] survey completed, which would put the City in line for low income housing money.

#### **EXECUTIVE SESSION – DISCUSSION OF CONFIDENTIAL BUSINESS DATA** **HELD**

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for the discussion of confidential business data. Inviting: Interim City Manager Uri. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:40 p.m.

The commission reconvened at 6:50 p.m.

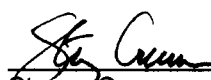
Mayor Hattan announced there was no binding action taken.

#### **ADJOURN**

Mayor Hattan announced there would be a study session following the adjournment of the meeting.

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

(Seal)

  
 Stacey Crum  
 City Clerk

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 4, 2009**

The governing body met in regular session on March 4, 2009, 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: Brad Lowell, Toby Nosker, Don Dean, James Ganson, John Kullman, Jeff Jamison, Jean Rosemary Noski, Judy Stephens, Larry Eubanks, Don Lanoue, Marvin Copple, LaDonna Peltier, Shirley Gropp, Chris Workman, Danny Parker, Cory Shipley, Ron Deal, Larry Remmenga, Jeff Nelson, Ruby Maline.

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

Mayor Hattan asked for changes on the agenda. Interim City Manager Uri noted the addition of Shirley Gropp with a presentation for People's Insurance. Interim City Manager Uri dropped the study session discussion on pool concessions and closing, and added discussion on a request to put an antenna on a water tower. Commissioner Johnson requested an executive session for non-elected personnel.

**APPROVAL OF MINUTES**

**APPROVED**

Commissioner Johnson said that changes he requested on the February 4 minutes still needed to make mention of the \$43,508 difference in non-departmental expenditures which related to unbudgeted delinquent taxes on the budget amendment. Interim City Manager Uri promised to make that change and distribute a corrected copy.

Mayor Hattan moved to approve the minutes of the February 18, 2009. Commissioner Lanoue seconded. Motion carried unanimously.

**APPROPRIATION ORDINANCE NO. #4**

**APPROVED**

Commissioner Johnson asked which department purchased the pagers from Pierce Electronics. Larry Eubanks responded that the fire department purchased these.

Commissioner Johnson moved to approve appropriation ordinance #4. Commissioner Hosie seconded. Motion carried unanimously.

**PUBLIC COMMENTS**

There were no public comments.

**OLD BUSINESS**

**INSURANCE PRESENTATION BY IMA**

IMA Insurance spokespersons Jeff Jamison and John Kullman were on hand to persuade the commission to allow them to continue to quote the city's insurance through EMC Insurance, after the last meeting's vote gave the rights to People's Insurance, the local EMC agent. Only one EMC carrier may be allowed to quote the insurance. IMA has provided this service to the city for 10 years. Mr. Jamison said that his company could provide the best service, considering they have several specialty departments, including a claims unit, company negotiations and administration of clients, and several attorneys on staff that provide legal answers at no extra charge to the client.

**SHIRLEY GROPP – PEOPLE'S INSURANCE**

Shirley Gropp of People's Insurance spoke next in support of the city doing their insurance with a local agent. Ms. Gropp said that she could provide all the services that IMA does, and could also negotiate with EMC to get the best rates. She asked that the commissioners stay with their decision at the last meeting to allow her company to quote the insurance.

Interim City Manager Uri said that city policy had always been that if at all possible, go with the local business. He also said that RFP's had been sent out to all the insurance agents in town, and it was possible that at least one would return theirs with a quote.

Commissioner Johnson moved to continue with the decision to allow People's Insurance to give the quote for EMC. Commissioner Jindra seconded, but noted that he was disappointed with the lack of time to consider all the facts in this process, and wished in the future to be given more time. Motion carried unanimously.

**NEW BUSINESS**

**AGREEMENT FOR SERVICES TO ADDRESS COLLEGE WATER ISSUES**      **BG CONSULTANTS**

Interim City Manager Uri presented the proposed agreement addressing the college's concerns over water pressure. After reviewing last year's agreement on this issue, staff decided to pursue other advice as last year's engineers didn't seem to have the needed experience. BG Consultants has been retained for these services. It was established that adequate pressure could be attained with pumps at each low pressure location.

The first phase of the engineering would involve evaluating the booster stations, and would not exceed \$3,450.00. The next step would be evaluating raising each water tower, at a price not to exceed \$9,850.00 each.

Commissioner Jindra moved to approve the agreement for services to address college water issues. Commissioner Lanoue seconded. Mayor Hattan then said that he had reservations about BG Consultants, with the fact that they have not had the experience of raising water towers like other consulting firms, and would like the opportunity to hear testimonials. He agreed with parts, a, b, and c of number 3 which calls for BG to evaluate alternatives for addressing existing pressure conditions, but disagreed with part d on evaluating raising the water towers. Larry Remmenga reminded the commission that pumps would be a short term fix to this problem.

Commissioner Jindra amended his motion to omit item d from the study. Commissioner Hosie seconded. Motion for amendment carried unanimously. The vote was then called to approve the agreement for services to address college water issues with BG Consultants. Motion carried unanimously.

**SLURRY SEAL BIDS**      **BALLOU CONSTRUCTION**

Ron Copple said that two bids had been returned for slurry seal. The bids were as follows:

Ballou Construction Co.	\$178,196.50
Vance Brothers	\$178,819.45

Campbell & Johnson's estimate had been \$150,163.75, based on last year's average of high and low bids. Mr. Copple said that there would be approximately 50 blocks done this year. It was staff's recommendation to go with Ballou Construction.

Commissioner Hosie moved to go with Ballou Construction for \$178,196.50. Commissioner Lanoue seconded. Motion carried unanimously.

**WASTEWATER TREATMENT PLANT TRACTOR PURCHASE**      **CONCORDIA TRACTOR**

Larry Remmenga presented a state contract bid of \$83,886.92 from Concordia Tractor for the wastewater treatment plant tractor. This includes the trade in of \$33,000.00.

Commissioner Johnson moved to purchase the 8130 tractor for \$83,886.92 from Concordia Tractor. Commissioner Hosie seconded. Motion carried unanimously.

**REQUEST FOR CONSTRUCTION PROJECTS USING RECOVERY FUNDS 2009**

Ron Copple presented a construction project for KDOT which would cover Davies Dr. to State St. on 5<sup>th</sup>. The total estimated cost of the project is \$450,282.50. The survey and design cost for Campbell & Johnson is \$50,000.00, and is not included in the total cost of the project. Along with the city paying for the design cost, a question on the application asked if the city would participate in any other funds. It was decided that an extra \$25,000.00 could be contributed, in order to have a better chance of getting the project approved by KDOT. Commissioner Hosie asked who would do the labor. Mr. Copple answered that the labor would be done through the state.

Commissioner Jindra moved to submit the request for construction projects using recovery funds 2009 and for the city to participate in \$25,000.00 of the project, and to allow Interim City Manager Uri to sign the Campbell & Johnson contract should the project be approved by KDOT. Commissioner Johnson seconded. Motion carried unanimously.

**MANAGER'S REPORT**

Interim City Manager Uri said that the newest billing from Blue Cross included in the packet omitted eleven employees, and promised to furnish a new billing as soon as it was corrected. He also suggested including a study session item for the next meeting to discuss the 2010 budget, to get a list of goals and priorities from the commissioners.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Jindra said that he would be out of the state on April 1.

Commissioner Hosie again expressed concerns over the money recently found in the front office. Commissioner Hosie made a motion that the vendor be contacted, to see how these checks had been

endorsed before being cashed, then withdrew the motion when Interim City Manager Uri said that the company had already been notified, but had not gotten back with the city clerk.

Commissioner Johnson asked of the progress on procuring an internal audit. Interim City Manager Uri said the plan was to wait for the new auditors to come and discuss this with them.

**STAFF COMMENTS**

There were no staff comments.

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

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for the discussion of non-elected personnel. Inviting: Interim City Manager Uri. Commissioner Jindra seconded. Motion carried by the following vote:

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

Nay: None.

Time: 7:57 p.m.

The commission reconvened at 8:07 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, Commissioner Jindra moved to adjourn the meeting. Commissioner Johnson seconded. Motion carried unanimously.

(Seal)

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

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MARCH 18, 2009**

The governing body met in regular session on March 18, 2009, 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, Don Lanoue, Jean Rosemary Noski, Kirk Lowell, Connie Walenta, Linda Houser, Marvin Copple, Susan Sutton, Bruno Rehbein, Ron Copple, Lou Frohardt, Cory Shipley, Shirley Gropp, Chris Workman, Ron Deal, Nick Gerard, Patricia Gerhardt, Marcia Allen, Larry Remmenga, Cameron Presler, Larry Eubanks, Muriel Anderson, Ray Palmer, Ruby Maline.

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

Mayor Hattan asked for changes on the agenda. There were none.

**RESOLUTIONS:**

**2009-1832 ORPHAN TRAIN PARKING LOT ARRA 2009**

**PASSED**

Interim City Manager explained that this resolution was placed in the meeting early on, because the paperwork needed to be postmarked by today. As an historical site, this project is eligible for government stimulus money available for non-traditional uses of transportation money. Plans had already been drawn up for a parking lot but there had not been funds to do the project.

Commissioner Jindra made a motion to approve resolution 2009-1832. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

**APPROVAL OF MINUTES**

**APPROVED**

Commissioner Johnson questioned the minutes he'd wanted changed from the Feb. 4 meeting. A new copy was made available making those requested changes.

Commissioner Hosie moved to approve the minutes of the March 4, 2009, meeting. Commissioner Lanoue seconded. Motion carried unanimously.

**APPROPRIATION ORDINANCE NO. #5**

**APPROVED**

Commissioner Johnson asked about the check written to EMC Insurance. Interim City Manager Uri said that a claim had been filed against the city by a citizen who thought a mower had damaged his truck. The claim had been paid by EMC, and the money paid by the city was the \$500 deductible.

Commissioner Johnson moved to approve appropriation ordinance #5. Mayor Hattan seconded. Motion carried unanimously.

**PROCLAMATION**

Cameron Presler was on hand to request that the month of April 2009 be proclaimed as Sexual Assault Awareness Month. Mayor Hattan signed the Proclamation.

**PUBLIC COMMENTS**

Patricia Gerhardt was interested in receiving an update on the dam project. Interim City Manager Uri said that he had discussed the project with the Corps of Engineers and they were doing a study to assess the amount of damage that would be done should the dam break. If the report meets their criteria, a further study will be done. A recent press release issued by Senator Brownback's office mentioned the city's dam project as a possible recipient of funding from the congressional appropriations bill.

**OLD BUSINESS:**

**INSURANCE PROPOSALS**

Connie Walenta of Kastl-Powell Insurance Agency presented her bid for the city's liability insurance and discussed the merits of her company. Commissioner Lanoue noted the difference of the Brown Grand

Theatre's value from Ms. Walenta's bid of \$3,000,000, rather than the currently insured price of \$6,500,000. Commissioner Lanoue received clarification that this amount covered the contents of the theatre as well as functional replacement value back to the current historic design.

Shirley Gropp of People's Insurance, who recently received the rights to become the city's EMC Insurance carrier, was also on hand.

The bids were as follows:

Kastl-Powell Agency	\$123,919
People's Insurance	\$ 99,292

Interim City Manager Uri explained the insurance renewal process, and recommended a one year approval, rather than three, to put this up for bids next year to give all insurance companies enough time to bid. Interim City Manager Uri also commented that EMC Insurance's bid was down \$10,000 from last year. The People's Insurance bid was \$99,292, and Kastl-Powell's bid was \$123,919.

Mayor Hattan moved to accept the bid from People's Insurance for \$99,292. Commissioner Lanoue seconded. Motion carried unanimously.

**NEW BUSINESS:**

**CMB LICENSE**

**AMERICAN LEGION CLUB 76, INC.**

It was determined that this location is at the National Guard Armory.

Commissioner Hosie moved to approve the CMB License for American Legion Club 76, Inc. Commissioner Lanoue seconded. Motion carried unanimously.

**ACCEPT TOWER AGREEMENT WITH CONCORDIA TRACTOR**

Interim City Manager Uri said that Concordia Tractor was requesting to place an antenna on the water tower for GPS purposes, for farming. The agreement would be \$100 per month, which would be a one year contract that would then renew month to month.

Commissioner Lanoue asked about the section of the agreement that said the city would be responsible for maintenance during business hours, and wanted to know about overtime if work needed done after hours. Larry Remmenga said that Concordia Tractor would pay for after hours service.

Commissioner Johnson made a motion to approve resolution 2009-1834 and to accept the tower agreement with Concordia Tractor. Commissioner Jindra seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

**AMENDMENT TO ANIMAL ORDINANCE**

**PASSED**

Interim City Manager Uri presented the ordinance, which would allow publicly funded educational organizations to keep animals in the city limits. Lou Frohardt, dean of applied sciences at the college, was on hand to explain why his department would benefit from this amendment. With the current equine program, no horses can be kept on site. Partnering with a thoroughbred retirement foundation, the horses will be placed at the college for adoption purposes and will be used for the equine classes.

Commissioner Jindra requested the addition of the words "post secondary" to section 17 to exclude this ordinance from covering the high school. Commissioner Johnson requested the addition of an omitted word in section 13.

Commissioner Jindra made a motion to approve ordinance 2009-2975 with the changes. Commissioner Hosie seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

**DONATION OF AIRPORT COURTESY CAR**

Kirk Lowell discussed the donation of a 1983 Lincoln Town Car to be used by the city as an airport courtesy car. The car was donated by Ray Palmer of Glasco. This car can be used by those flying in. The city's insurance will provide coverage.

Commissioner Jindra moved to approve the donation of the airport courtesy car. Commissioner Lanoue seconded. Motion carried unanimously.



**RESOLUTIONS:****2009-1833 FIRE INSURANCE PROCEEDS****PASSED**

Bruno Rehbein stated this resolution has to do with insurance proceeds on a fire damaged home that's currently declared unsafe. A public hearing is set for May 6 to declare whether 424 W. 16<sup>th</sup> should be repaired or demolished.

Commissioner Hosie made a motion to approve resolution 2009-1833. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

**MANAGER'S REPORT**

Interim City Manager Uri said the city has under appeal penalties and interest to the IRS concerning payments from 2008. The IRS has requested form 2848, power of attorney, giving Interim City Manager Uri official authorization to sign documents that have already been sent to the IRS on this matter. He asked that the mayor be authorized to sign form 2848.

Commissioner Johnson moved to authorize the mayor to sign form 2848. Commissioner Lanoue seconded. Motion carried unanimously.

In regards to a meeting requested at a previous time by Commissioner Jindra to bring the TIF partners up to date, Interim City Manager Uri asked for a date for said meeting. Mayor Hattan requested a report be sent to all involved first, to promote discussion at the meeting.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Jindra expressed congratulations to the high school girls' basketball team on winning state. He suggested public acknowledgment of some sort to recognize the accomplishment. Commissioner Jindra also noted that KNCK is showing the videotaped commission meetings on its website, and that he would not be in attendance at the April 1 meeting.

Commissioner Johnson said he would like to see the commission dais turned around, to allow the commissioners to see each other better. Interim City Manager Uri said that this would be addressed. Commissioner Johnson also would like the commission to be allowed to discuss the confidentiality report with Computer Solutions.

Commissioner Lanoue also offered her congratulations to the basketball team, and that in the past the city has formally recognized the winning teams.

Mayor Hattan congratulated the girls' team, and expressed a job well done on the coverage of the tournament by the local newspaper and radio station.

**STAFF COMMENTS**

Ruby Maline presented a report comparing general fund budget to actual through February 2009 as well as graphs showing a comparison between 2008 and 2009 general fund revenues and expenditures.

Larry Eubanks said that staff had traveled to York, Nebraska, to pre-inspect the new fire truck, and that it would be in the city's possession later this week.

Commissioner Johnson requested that the study session be filmed.

**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

# CITY OF CONCORDIA

## PROCLAMATION BY THE MAYOR

WHEREAS, sexual assault is an intolerable violent crime with public health implications for every person in **Concordia** as a victim/survivor or as a family member, significant other, neighbor or co-worker of a victim/survivor; and

WHEREAS, no one person, organization, agency or community can eliminate sexual assault on their own—we must work together to educate our entire population about what can be done to prevent sexual assault, support victim/survivors and their significant others, and increase support for agencies providing services to victim/survivors; and

WHEREAS, **The Domestic Violence Association of Central Kansas** has led the way in **Concordia** in addressing sexual assault by providing 24-hour hotline services to victim/survivors and their significant others, responding to emergency calls, offering support and comfort to those impacted by sexual assault during medical exams, criminal proceedings, and empowering those impacted by sexual assault to chart their own course for healing; and

WHEREAS, ending sexual assault in **Concordia** must include active public and private efforts to End Sexual Violence in collaboration with **The Domestic Violence Association of Central Kansas**, including conversation about what sexual violence is, how to prevent it, how to help survivors connect with crucial counseling and other support services, and how every segment of our society can work together to better address sexual violence; and

WHEREAS, staff and volunteers of sexual assault programs in **Concordia** work year round to encourage every person in **Concordia** to End Sexual Violence and to support survivors by providing prevention education and survivor empowerment information to schools, churches, civic organizations, as well as medical, mental health, law enforcement, education, and criminal justice personnel regarding sexual assault issues;

WHEREAS, **The Domestic Violence Association of Central Kansas** has set an important example of how forging collaborative relationships between service agencies and organizations serves to improve the quality of service for those most profoundly and directly impacted by sexual violence, thus setting an important example for how the rest of the community might work together to speak out and find solutions to sexual violence;

WHEREAS **The Domestic Violence Association of Central Kansas** requests public support and assistance as it continues its effort to bring real hope for freeing **Concordia** from the tragedy of sexual violence to create a future where all women, men and children can live free from violence and exploitation;

NOW, THEREFORE, I **Greg Hattan**, Mayor of **Concordia, Kansas** do hereby proclaim the month of April 2009 as

# SEXUAL ASSAULT AWARENESS MONTH

In Concordia and I commend this observance to all citizens.

Gregory Z. Hattam  
Mayor's Signature

3-18-09  
Date

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 1, 2009**

The governing body met in regular session on April 1, 2009, 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.

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

Visitors: Jessica LeDuc, Toby Nosker, Ruth Bombardier, Isadore Bombardier, Ronald Deal, James Ganson, Larry Remmenga, Thaniel Monaco, Danny Parker, Ron Copple, Larry Eubanks, Don Lanoue, Eric Johnson, Sr. Mary Jo Thummel, Marvin Copple, Amber Meczywor, Regina Ann Brummel, Kirk Lowell, Tammy Britt, Greg Gallagher, Tom Gennette, Dave Dutton, Ruby Maline.

There was no invocation.

The Pledge of Allegiance was recited.

Mayor Hattan asked for changes on the agenda. A study session item was added for Kansas Rural Development financing.

**APPROVAL OF MINUTES**

**APPROVED**

There were no comments.

Mayor Hattan moved to approve the minutes of the March 18, 2009, meeting. Commissioner Lanoue seconded. Motion carried unanimously.

**APPROPRIATION ORDINANCE NO. #6**

**APPROVED**

Interim City Manager Uri gave answers to Commissioner Lanoue's earlier emailed questions. Questions included information on checks written to Computer Solutions, HWS Consulting, Pawnee Mental Health, and the check for the fire pup program.

Commissioner Johnson moved to approve appropriation ordinance #6. Commissioner Hosie seconded. Motion carried unanimously.

**PROCLAMATION**

**BUDDY POPPY DAY**

Isadore & Ruth Bombardier, representing the VFW post and auxiliary, spoke of the importance of purchasing Buddy Poppies assembled by disabled veterans and asked that May 16 be proclaimed Buddy Poppy Day. Mayor Hattan signed the Proclamation.

**PUBLIC COMMENTS**

There were no public comments.

**APPOINTMENTS**

Tammy Britt of the Housing Authority asked that John Davis be appointed to another four year term.

Commissioner Hosie moved to appoint John Davis to the Housing Authority. Commissioner Lanoue seconded. Motion carried unanimously.

Interim City Manager Uri presented a letter from Denise de Rochefort-Reynolds of the library, asking for the appointment of Brenton Phillips, who would replace Frank Burwell. Mr. Burwell has completed two terms and is not eligible for reappointment.

Mayor Hattan moved to appoint Brenton Phillips to the library board. Commissioner Johnson seconded. Motion carried unanimously.

**NEW BUSINESS:**

**ERIC JOHNSON – COMMISSION ROOM REMODELING**

Eric Johnson of Campbell & Johnson spoke of the possibilities of remodeling the commission room. Belleville had been visited earlier in the week and their arrangement was discussed. He asked for the commission's input on what they would like. Mayor Hattan said he would like to see the current setup inverted into a U shape, with the press and the staff table facing each other. Commissioner Hosie is not in favor of the current raised platform, feeling like this puts the commission on a different level from the public,

affecting the mood of the commission meetings. At this point, there are no estimates on the cost of the project.

### **CMB LICENSE**

### **HEAVY'S BBQ**

This is the new BBQ restaurant opening later this month.

Mayor Hattan moved to approve the CMB License for Heavy's BBQ. Commissioner Lanoue seconded. Motion carried unanimously.

### **DAVE DUTTON – BARKING DOGS**

Dave Dutton spoke of the barking dog problem in his neighborhood. He has brought this to animal control's attention, and feels that no action has been taken. Mr. Dutton asked the commission if a change in the law was possible. Interim City Manager Uri said that this could be a nuisance issue, or could possibly be taken to court. Interim City Manager Uri said the next action would be for Mr. Dutton to sign a formal complaint, which he agreed to do.

### **RESOLUTIONS:**

#### **2009-1835 CONCORDIA HIGH SCHOOL GIRLS BASKETBALL STATE CHAMPIONSHIP**

The city recognized the high school girls basketball team on their recent state championship. Coach Derek Holmes thanked the city for the recognition and spoke a bit on their outstanding undefeated season. In attendance were: Heather Bergmann, Skyler Muff, Ashleigh Johnson, Jordan Mastin, Leah Haden, Skye Balthazor, Chelsie Monzon, Mallory Backstrom, Paige Champlin, Taryn Johnson, Coach Nikki Flinn, Coach Kevin Johnson, Karly Buer, Alex Muff, and Kaitlin Woellhof. The team assembled for photos.

### **MANAGER'S REPORT**

Interim City Manager Uri said he had not yet contacted other governing bodies on the TIF meeting in May.

### **MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson asked that a resolution also be done for Mallory Gilliland, who was just named Kansas Junior Miss.

In regards to the money found in the clerk's office, Commissioner Hosie asked if we had heard back from Snack Express. Staff had contacted them to get a copy of a cancelled check to see how the checks were endorsed. At this point, they have not responded to these requests. There was discussion on this money. Mayor Hattan recalled a previous city manager several years ago giving approval for employee use of these funds.

Mayor Hattan congratulated Ron Copple on being rewarded recent stimulus money for a street project. Only 10% of submitted projects were accepted. Commissioner Johnson asked if there would be a more explicit detail of expenses. He thought the concrete price was high.

Commissioner Johnson commended Larry Eubanks and staff on a program they did at a recent AARP meeting.

Mayor Hattan said the selection of the Royals/Yankees game the recreation department is selling tickets for was an excellent choice.

### **STAFF COMMENTS**

Ron Copple said that Terry Cibolski had retired from the city, and David Gilkeson had taken his place, as mechanic.

Larry Remmenga told the commission that a representative of Pittsburg Tank & Steel would be checking the structure of the water tower next week to see if the tower raising would be a possible solution to the college's water pressure issue. Also, Concordia Tractor has notified the city that they have a buyer for the city's tractor trade. Since the transaction won't take place until July, CTI has agreed to provide a loaner until then.

Larry Eubanks said the new ambulance was in, and also the ambulance in Glasco was in place. There is now a backup unit for events such as football games and races, and also to be used for long distance transfers.

Danny Parker gave an update on a meth lab that was recently found. Also, there have been arrests made on those responsible for several burglaries in town.

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. Commissioner Lanoue seconded. Motion carried unanimously.

(Seal)

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

**CON  
STANTE**

**RESOLUTION NO. 2009-1835**

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

WHEREAS, the Concordia High School girls' basketball team finished its 2008-2009 season as the undefeated Class 4A state champion, having won 26 games and bringing the school its third girls' state basketball championship;

AND WHEREAS, the Concordia City Commission desires to express the pride the community has taken with respect to this accomplishment;

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE CITY OF CONCORDIA, KANSAS:

The governing body of the City of Concordia hereby congratulates the members of the Concordia High School girls' basketball team: Skye Balthazor, Heather Bergmann, Karly Buer, Paige Champlin, Ashlee Haist, Ashleigh Johnson, Taryn Johnson, Jordan Mastin, Chelsie Monzon, Alex Muff, Skyler Muff, and Kaitlin Woellhof, and head coach Derek Holmes, assistant coaches Nikki Flinn and Kevin Johnson, and managers Mallory Backstrom and Leah Haden.

BE IT FURTHER RESOLVED:

That the governing body of the City of Concordia hereby congratulates the parents of the team members, the citizens of the community for the support given to the team, and the students of Concordia High School for the spirit and sportsmanship displayed during the season.

PASSED by the governing body and signed by the Mayor this 1<sup>st</sup> day of April, 2009.

\_\_\_\_\_  
Gregory L. Hattan  
Mayor

ATTEST:

(Seal)

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



## A PROCLAMATION

**WHEREAS:** The annual sale of Buddy Poppies by the Veterans of Foreign Wars of the United States has been officially recognized and endorsed by governmental leaders since 1922, and

**WHEREAS:** VFW Buddy Poppies are assembled by disabled veterans, and the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans, the widows and orphans of deceased veterans, and

**WHEREAS:** The basic purpose of the annual sale of Buddy Poppies by the Veterans of Foreign Wars is eloquently reflected in the desire to "Honor the Dead by Helping the Living", therefore

I, Gregory L. Hattan, Mayor of the city of Concordia do hereby urge the citizens of this community to recognize the merits of this cause by contributing generously to its support through the purchase of Buddy Poppies on the day set aside for the distribution of these symbols of appreciation for the sacrifices of our honored dead.

I urge all patriotic citizens to wear a Buddy Poppy as mute evidence of our gratitude to the men and women of this country who have risked their lives in defense of the freedoms which we continue to enjoy as American citizens.

Signed Gregory L. Hattan  
Mayor

Attested Stan Gumm  
City Clerk

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD APRIL 15, 2009**

The governing body met in regular session on April 15, 2009, 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.

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, Roy Wilson, Megan Murdock, Ron Copple, Sara Hicks, Danny Parker, Sr. Judy Stephens, Royce Bruntzel, Ron Deal, Don Lanoue, Marcia Allen, Janet Eubanks, Mallory Gilliland, Brenda Gilliland, Marvin Copple, Denise de Rochefort-Reynolds, James Ganson, Larry Eubanks, Linda Sutton, Joe Fakler, Ruth Fakler, Larry Remmenga, Ruby Maline.

There was no invocation.

The Pledge of Allegiance was recited.

Mayor Hattan asked for changes on the agenda. There were no changes.

**COMMISSION REORGANIZATION:**

**ELECTION RESULTS**

Interim City Manager Uri read the report from the Cloud County Clerk and Election Officer Linda Bogart, certifying the results for the City Commission of Concordia held April 7, 2009 to be as follows:

Charles B. Johnson	582
Phil Gilliland	5
Joe Strecker	7
Art Slaughter	4

Twenty-two (22) people received one (1) vote each.

Charles Johnson was declared the winner for another three (3) year term.

**OATH OF OFFICE**

City Ordinance prescribes that elected officials take the Oath of Office before entering into the duties of his/her office. City Clerk Crum administered the Oath of Office to Charles Johnson for a three (3) year term.

Mayor Hattan recessed for refreshments.

**ANNUAL COMMISSION REORGANIZATION**

Commissioner Jindra voiced his opinion that things have been running smoothly with the commission as it is, and moved that Mayor Hattan continue as mayor. Commissioner Lanoue seconded. Motion carried.

Commissioner Johnson moved to elect Commissioner Lanoue as mayor pro-tem. Commissioner Jindra seconded. Motion carried.

**APPROVAL OF MINUTES**

**APPROVED**

There were no comments.

Commissioner Johnson moved to approve the minutes of the April 1, 2009, meeting. Commissioner Lanoue seconded. Motion carried unanimously.

**APPROPRIATION ORDINANCE NO. #7**

**APPROVED**

Commissioner Hosie asked if the Blue Cross bill was for one month. Interim City Manager Uri answered that it was for one month, plus the employees that were omitted on last month's billing. Commissioner Johnson asked about the League LEAPS payment, which is for the second payment of the city manager search, and did we already make two payments? Interim City Manager Uri said he would look into it.

Commissioner Hosie moved to approve appropriation ordinance #7. Commissioner Johnson seconded. Motion carried unanimously.

**PROCLAMATIONS:**

**FAIR HOUSING MONTH**

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

**ARBOR DAY**

Mayor Hattan proclaimed April 24, 2009 as Arbor Day.

**KANSAS JUNIOR MISS**

Mallory Gilliland was recently named Kansas Junior Miss. Mayor Hattan read a proclamation of congratulations to Miss Gilliland. Miss Gilliland was on hand for pictures with the mayor.

**PUBLIC COMMENTS**

There were no public comments.

**APPOINTMENTS**

Denise de Rochefort-Reynolds, of the library, asked for the reappointment of MaryDean Nelson to another four year term. Frank Burwell, who had served two terms and could not be reappointed, was recognized for his years of service, and several projects were listed that had been accomplished during Mr. Burwell's tenure.

Commissioner Hosie moved to appoint MaryDean Nelson to the library board. Commissioner Lanoue seconded. Motion carried unanimously.

**NEW BUSINESS:****SPONSORSHIP OF GRANT APPLICATION FOR SMALL BUSINESS DEVELOPMENT CENTER**

The Small Business Development Center has been housed at Cloud County Community College for several years, and is moving downtown. They are requesting a grant of \$2000 from the Duclos Foundation. One of the requirements of the Duclos Foundation is that grants must be sponsored by a non-profit organization or a municipality.

Commission Johnson said that the Duclos Foundation was set up to help families and private individuals in need of funds, and he felt that this did not fall into that category, whether they have income guidelines or not. He said he would like to see the sponsorship disapproved for this reason. Mayor Hattan said it is the Duclos board's decision who receives the money. The Small Business Development Center helps small businesses get started, so he felt that indirectly the Duclos Foundation was helping the needy in that way. Commissioner Jindra agreed that it is not the commission's job to determine who gets the funds.

Commissioner Jindra moved to approve the sponsorship of the grant for the Small Business Development Center and to authorize the mayor to sign it. Commissioner Lanoue seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Jindra, Hosie, and Lanoue.

Nay: Commissioner Johnson.

**FUND BALANCE – FINANCIAL SOFTWARE ANNUAL MAINTENANCE AGREEMENT**

Interim City Manager Uri explained that Fund Balance is the company providing the financial software, and as the billing is over \$5000, was asking for approval.

Commissioner Lanoue asked if GASB is being used. Interim City Manager Uri said that Ruby Maline was starting to utilize that, and it will be used in the future. Commissioner Johnson didn't think it was a necessary component. Ms. Maline explained that the recent monthly financial reports that she has been providing have been generated by GASB 34. Commissioner Lanoue also stated that she felt the GASB program was unnecessary, as city assets are recorded in a book. Interim City Manager Uri said that the college intern working for the city this semester is in the process of inputting all asset data into the computer.

Commissioner Hosie moved to approve the financial software annual maintenance agreement. Commissioner Johnson seconded. Motion carried unanimously.

**GAZEBO DONATION**

Joe Fakler talked of the anticipated donation of a gazebo for the city park by Boy Scouts Troop 31. The gazebo would be built by Peltier's Foundry and additional volunteer help, at a cost to the Troop of \$10,000. Projected completion is September. The city would be responsible for the concrete base, sidewalks, electrical outlets and lighting. The choice of location by the Troop is the south edge of the park, with the removal of the old girl scout building.

Mayor Hattan said he thought that the area between the tennis courts and the pool would enable the gazebo to be used more. After discussion, it was decided that this area could be considered.

Commissioner Hosie moved to accept the donation of the gazebo from Boy Scouts Troop 31. Commissioner Lanoue seconded. Motion carried unanimously.

## **MANAGER'S REPORT**

Interim City Manager Uri updated the commission on recent news on the flood control project with the Corps of Engineers. The city is ready for the next phase, and should be hearing from the Corps in a few weeks. Discussion included the possibility of this project being part of earmarked government money.

Interim City Manager Uri discussed the employee handbook, and the newest additions.

Interim City Manager Uri thanked Ruby Maline for her service and said she would be missed. This week is her last week.

## **MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Jindra talked about his recent participation with a lobbying group in Washington D.C. He has had contact with Congressman Jerry Moran's office and the flood control project is his number one priority project. Commissioner Jindra made a motion to contact Congressman Moran's office to request a representative of the Corps of Engineers be in Concordia to answer questions. Commissioner Hosie seconded. Motion carried unanimously.

In response to recent discussion on cash found at City Hall in a manila envelope, Commissioner Jindra requested an agenda item for the next meeting to discuss policies and procedures to assure this won't happen again.

Commissioner Johnson asked about the progress in the city manager search. The commission had agreed to discontinue the search until after the budget process is over. Commissioner Johnson felt that Interim City Manager Uri's contract would expire before someone was hired if we aren't actively looking now. He also asked if we have received applicants for Ruby Maline's position, and Interim City Manager Uri updated the commission on the progress.

Commissioner Hosie asked for explanation on understanding the purchasing card statement. Commissioner Hosie also felt that the city manager search should continue to be on hold until after the budget process. He asked that Interim City Manager Uri update the commission on the latest with the cash found. A copy of the check had been received from one of the check stubs found in this envelope, showing that the check had been endorsed before being deposited into the city's account. In this process, apparently the check was traded for cash out of the cash drawer before being placed in the envelope in the City Clerk's office.

Commissioner Lanoue thanked Frank Burwell for his library service.

Mayor Hattan echoed Commissioner Lanoue's sentiments for Frank Burwell. He thanked Interim City Manager Uri for a job well done, and said that all city employees were doing the city proud.

The commissioners thanked Ruby Maline for her service and the job she'd done during her tenure with the city, and wished her well in future endeavors.

## **STAFF COMMENTS**

Larry Eubanks talked about last year's grant for a new fire truck through the CBDG (Community Block Development Grant), which was obtained after doing an LMI (low to moderate income) survey in the city. This grant of \$168,720.00, which is 50% of the cost of a fire truck, was awarded to the fire department. With these grant funds, the city has purchased a new fire truck.

Ron Copple updated the commission on the money recently awarded through the Recovery Act 2009. A selection committee must be organized to select an engineering firm. Isadore Bombardier and Mr. Copple would make up the committee, and Mr. Copple asked for a member of the commission to be included. Commissioner Johnson volunteered.

Larry Remmenga talked about the recent atrazine scare, and assured the commission and the public that the city's water is safe.

## **ADJOURN**

Mayor Hattan announced there would be a study session following the adjournment of the meeting.

James Ganson addressed the commission on the whole wall project that has recently begun, and gave an update on the progress.

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

(Seal)

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

**PROCLAMATION  
FAIR HOUSING MONTH  
CITY OF CONCORDIA**

WHEREAS, the Congress of the United States passed the Civil Rights Act of 1968, of which Title VIII declared that the law of the land would now guarantee the rights of equal housing opportunity; and

WHEREAS, the City of Concordia is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all, and today, many realty companies and associations support fair housing laws; and

WHEREAS, the Fair Housing groups and the U.S. Department of Housing and Urban Development have, over the years, received thousands of complaints of alleged illegal housing discrimination and found too many that have proved upon investigation to be violations of the fair housing laws; and

WHEREAS, equal housing opportunity is a condition of life in our City that can and should be achieved,

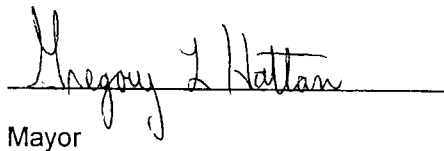
I, Gregory L. Hattan, Mayor of the City of Concordia, Kansas, on behalf of its citizens, do hereby proclaim the month of April as

**FAIR HOUSING MONTH**

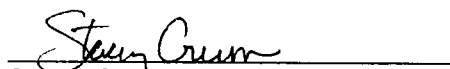
And express the hope that this year's observance will promote fair housing practices throughout the City.

Dated this 15th day of April, 2009.

(Seal)

  
\_\_\_\_\_  
Mayor

Attest:

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

## PROCLAMATION

- WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and
- WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and
- WHEREAS, Arbor Day is now observed throughout the nation and the world, and
- WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and
- WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and
- WHEREAS, trees are a source of joy and spiritual renewal, and
- WHEREAS, Concordia has been recognized as a Tree City USA by The National Arbor Day Foundation and desires to continue its tree-planting ways,

NOW, THEREFORE, I, Gregory L. Hattan, Mayor of the City of Concordia, do hereby proclaim **April 24, 2009** as

### ARBOR DAY

in the City of Concordia, and I urge all citizens to support efforts to care for our trees and woodlands and to support our city's community forestry program, and

FURTHER, I urge all citizens to plant trees to gladden the hearts and promote the well-being of present and future generations.

DATED this 15th day of April, 2009.

Gregory L. Hattan  
Mayor

(Seal)

Stacey Crum  
Stacey Crum  
City Clerk

Linda Bogart  
Cloud County Clerk  
811 Washington  
Concordia, KS 66901

clerk@cloudcountyks.org

Telephone: 785-243-8110

Fax: 785-243-8108

April 10, 2009

Stacy Crum  
Concordia City Clerk  
P.O. Box 603  
Concordia, Ks. 66901

I, Linda Bogart, Cloud County Clerk/Election Officer of Cloud County, Kansas do hereby certify the results of the Concordia City General Election, held on April 7, 2009 to be as follows:

Charles B. Johnson	582
Phil Gilliland	5
Joe Strecker	7
Art Slaughter	4

Each receiving one (1) vote:

Steve Womack  
George DeBauche  
Lisa Huber  
Roger Koester  
Ben Retter  
Susan Retter  
Dana Brewer  
John State  
John Jones  
Verna Ferguson  
Todd Nicholson  
Gary Cairns  
Jane Linden  
Irene Brown  
Brad Lowell  
Ross Doyen  
Steve Nelson  
Tom Tuggle  
Larry Uri  
Sandra Moore  
Greg Errebo  
Greg Askren

Witness my hand and seal this 10<sup>th</sup> day of April 2009.



*Linda Bogart*

Linda Bogart  
Cloud County Clerk/Election Officer

## PROCLAMATION

WHEREAS, on March 28, 2009, Mallory Gilliland was named 2009 Kansas Junior Miss; and

WHEREAS, as Kansas Junior Miss, she will represent our community as she travels the state of Kansas promoting the "Be Your Best Self" program to young girls; and,

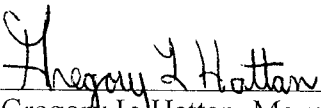
WHEREAS, she will represent the State of Kansas at the 52<sup>nd</sup> America's Junior Miss competition in Mobile, Alabama; and,

WHEREAS, the governing body of the City of Concordia desires to express the pride that the community shares in her achievement;

NOW, THEREFORE, BE IT PROCLAIMED

That the Concordia City Commission, on behalf of the citizens of Concordia, does hereby take note of the work, preparation, and effort put forth by Mallory Gilliland in earning the title of 2009 Kansas Junior Miss, congratulates her on this achievement, commends her for undertaking the responsibilities that go with the title, and wishes her well in the national competition.

Proclaimed by the governing body and signed by the mayor this 15<sup>th</sup> day of April, 2009.

  
\_\_\_\_\_  
Gregory L. Hattan, Mayor



**ATTACHMENTS**

**IN**

**FILE**

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 6, 2009**

The governing body met in regular session on May 6, 2009, 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.

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, Jeremy Keezer, Connie Morrison, Janet Eubanks, Danny Parker, John States, Harry Morrison Jr., Don Lanoue, Eric Johnson, Mary Jo Thummel, Anna Marie Broxterman, Larry Eubanks, Richard Eakins, Ron Deal, Marvin Copple, Susie Haver, Ron Copple, Sara Hicks, Larry Remmenga, Kirk Lowell, James Ganson, Tammy Britt, John Davis, Steve Womack.

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

Mayor Hattan asked for changes on the agenda. An item under new business, item D sign agreement, was moved to the study session.

**APPROVAL OF MINUTES****APPROVED**

There were no comments.

Commissioner Hosie moved to approve the minutes of the April 15, 2009, meeting. Commissioner Johnson seconded. Motion carried unanimously.

**APPROPRIATION ORDINANCE NO. #8****APPROVED**

Commissioner Johnson asked about the check to Computer Solutions. City Clerk Crum said the charges included anti-virus for each computer at city hall plus the server. Commissioner Johnson asked about the Gades Sales invoice. Ron Copple answered that it was parts for a stop light. Commissioner Johnson wondered if the fire truck is leased. Interim City Manager Uri said it is a lease/purchase. Commissioner Hosie questioned all the water deposit refund checks. City Clerk Crum explained that all water deposits are returned after twelve months of good service. The deposits for water accounts began one year ago. Commissioner Lanoue asked if a financial back page would be provided. Interim City Manager Uri said that staff did not feel qualified to provide this, but the new finance director would be starting and the page would be done next meeting. Commissioner Johnson questioned the checks that were mailed out before being approved. Interim City Manager Uri explained the reasoning for early payment to these vendors. Commissioner Johnson didn't think this was good policy.

Commissioner Hosie moved to approve appropriation ordinance #8. Mayor Hattan seconded. Motion carried unanimously.

**PROCLAMATIONS:****MOTORCYCLE AWARENESS MONTH**

Janet Eubanks spoke to the commission representing the female side of motorcycle riding.

Eric Johnson spoke representing a new chapter of motorcyclists in Concordia called the Christian Motorcycle Association and gave statistics on crashes over the last several years.

Mayor Hattan read the proclamation and declared May as Motorcycle Awareness Month.

**MENTAL HEALTH MONTH**

Mayor Hattan proclaimed May as Mental Health Month.

**PUBLIC COMMENTS**

There were no public comments.

**PUBLIC HEARING****424 W. 16TH**

Interim City Manager Uri reminded the commission that this residence was damaged by fire several weeks ago. Money from the insurance company has been held by the city until the homeowners have done the cleanup to the residence, and the area is declared safe.

Mayor Hattan asked if there were comments on this property from the public. There were none. Mayor Hattan moved to close the public hearing on 424 W. 16<sup>th</sup>. Commissioner Hosie seconded. Motion carried unanimously.

**OLD BUSINESS:****FIRE INSURANCE, 424 W. 16TH**

Commissioner Johnson moved to pass resolution 2009-1836 and return the insurance proceeds to the homeowners. Commissioner Lanoue seconded. Motion carried unanimously.

**NEW BUSINESS:****PERMISSION TO USE CITY RIGHT OF WAY FOR PRIVATE SEWER LINE**

Larry Remmenga discussed the McDaniel Memorial property on 7<sup>th</sup> St., which currently has a septic system. Because city sewer is available in that area, the new owner would like permission to tie into the city's line for sewer for his new property by a private company. Commissioner Lanoue asked if there is a legal agreement to ensure that any damage would be the owner's responsibility. Interim City Manager Uri said there is no policy to do an agreement but it could be done.

Mayor Hattan moved to give permission to use city right of way for private sewer line. Commissioner Lanoue seconded. Motion carried unanimously.

**FOLLOW UP WITH KANSAS SAMPLER FEST**

Susie Haver and Tammy Britt provided a small skit to show appreciation for city staff and commission support of the 2008 and 2009 Kansas Sampler Fest. They shared the "We Kan" award that Concordia was awarded by the Kansas Sampler Foundation.

**CASH MANAGEMENT POLICY**

Interim City Manager Uri presented a cash management policy reflecting the process of cash handling at the city.

Mayor Hattan moved to approve resolution 2009-1837. Commissioner Lanoue seconded. Motion carried unanimously.

**HAIL DAMAGE INSURANCE**

Ron Copple discussed last fall's hail storm and the damage to city buildings. He has been working with the insurance company since then to make sure the bids and the estimates are close. The wastewater treatment plant had a \$38,759 difference between the bid and the insurance company. He asked for approval on all properties except the treatment plant at this point, and to replace everything with Heritage shingles for only \$2,572 more than 3 tab shingles. He recommended Geisler Roofing be awarded the bid. Insurance proceeds of \$72,657.04 have already been paid out of a total of \$113,942.00. He suggested the Brown Grand Theatre be completed first.

Mayor Hattan moved to authorize the project of roof replacement with Heritage shingles by Geisler Roofing, with the exception of the wastewater treatment plant. Commissioner Lanoue seconded. Motion carried unanimously.

**MANAGER'S REPORT**

Interim City Manager Uri said the annual refund from EMC Insurance Company of \$12,701.89 was received. The amount received is based on the company's overall claims during the year. He spoke on the upcoming TIF meeting with the local governing bodies. A water rate study is being pursued by the city.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson said that he would like to see handrails on the bleachers at the sports complex. He recently attended a meeting of the nuns and they would like to see a proclamation in September to make 2010 a year of peace. Commissioner Johnson also asked if there was progress on updating the dais in the commission room. Eric Johnson said he had a couple of sketches that he could share.

Commissioner Hosie thanked the city staff for getting involved in the Sampler Fest, and also thanked travel & tourism. He talked about the possibility of the girls' school in Beloit closing, and wondered if there was anything our community could do to help keep that from happening. He applauded the progress of the whole wall project. Commissioner Hosie asked about the policy on uncollected water bills and court fines. Interim City Manager Uri updated the commission on this process. Commissioner Hosie asked for an update on the citywide cleanup. Ron Copple shared the amount of loads collected.

Commissioner Lanoue also thanked the staff, and Susie Haver and Tammy Britt for the success of the Sampler Fest, and also commended the whole wall project. She asked about the nuisance abatements. Letters have been sent out.

Mayor Hattan echoed the Sampler Fest sentiments and the whole wall project.

**STAFF COMMENTS**


Danny Parker talked about the communication system that the police department now has to bring the equipment up to date. In three years, about \$180,000 in grant money has been awarded and the city has spent approximately \$100,000 out of the 911 reserve. The old system will be used as a backup in times of emergency.

**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. Commissioner Lanoue seconded. Motion carried unanimously.

(Seal)

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



## MENTAL HEALTH MONTH PROCLAMATION

WHEREAS, mental health is essential to everyone's overall physical health and emotional well-being and caring for your mind as well as your body is good for your overall health and vital for success in personal life, at work, and at school; and

WHEREAS, mental illness will strike nearly one in four adults and children in a given year, regardless of age, gender, race, ethnicity, religion, or economic status; and

WHEREAS, mental health problems are as treatable as many physical illnesses, and people who have mental illnesses can recover and lead full, productive lives; and

WHEREAS, an estimated two-thirds of adults and young people who have mental health disorders are not receiving the help they need; and

WHEREAS, the cost of untreated and mistreated mental illnesses and addictive disorders to American businesses, governments, and families has grown to \$113 billion annually; and

WHEREAS, community-based services that respond to individual and family needs are cost-effective and beneficial to consumers and the community;

WHEREAS, Pawnee Mental Health Services has been helping people to achieve healthy minds and healthy lives for over 50 years; and

WHEREAS, the National Mental Health Association, the National Council for Community Behavioral Healthcare and their national partners, including Pawnee Mental Health Services and this city, observe Mental Health Month every May to raise awareness and understanding of mental health and mental illness,

THEREFORE, I, Gregory L. Hattan, the Mayor of Concordia does hereby proclaim May 2009 as

### Mental Health Month

in the city of Concordia, and call upon the citizens, government agencies, public and private institutions, businesses and schools in Cloud County to recognize the importance of mental, as well as physical health, and to commit our community to increasing awareness and understanding of mental health and the need for appropriate and accessible services for all people who have mental illnesses.

Gregory L. Hattan  
Mayor

## PROCLAMATION

WHEREAS, motorcycle riding has become a popular form of recreation and transportation for many people in Concordia, Kansas; and

WHEREAS, in order to promote safety, there is a growing need for cooperation among drivers of all motor vehicles, and

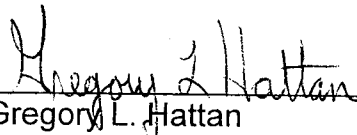
WHEREAS, it is especially important that drivers be aware of motorcycles on our streets and highways; and

WHEREAS, during the month of May, 2009, all street and highway users should unite in the safe sharing of roadways within The City of Concordia;

NOW THEREFORE, I, Gregory L. Hattan, Mayor of The City of Concordia, Kansas, hereby proclaim May 2009 to be:


### **"MOTORCYCLE AWARENESS MONTH"**

We ask all motor vehicle operators to unite in this effort to keep our streets and highways safe as motorists and motorcyclists share the roadways of our city.

  
Gregory L. Hattan  
Mayor

Attest:

(Seal)

  
City Clerk  
Stacey Crum

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 20, 2009**

The governing body met in regular session on May 20, 2009, 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.

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, Regina Ann Brummel, Sr. Judy Stephens, Don Lanoue, Ron Copple, Marvin Copple, Ted Collins, Susan Sutton, Linda Houser, Larry Eubanks, Larry Remmenga, John States, Don Dean, Ron Deal.

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

Mayor Hattan asked for changes on the agenda. There were no changes.

### **APPROVAL OF MINUTES**

### **APPROVED**

There were no comments.

Commissioner Johnson moved to approve the minutes of the May 6, 2009, meeting. Commissioner Lanoue seconded. Motion carried unanimously.

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

### **APPROVED**

Commissioner Johnson asked if the lawn mower was bid or purchased. The answer was purchased. Commissioner Johnson asked if the money for 911 equipment paid to Pierce Electronics was grant funds. Danny Parker answered that it was.

Mayor Hattan moved to approve appropriation ordinance #9. Commissioner Johnson seconded. Motion carried unanimously.

### **PUBLIC COMMENTS**

There were no comments.

### **NEW BUSINESS:**

#### **CODE OF CONDUCT**

Interim City Manager Uri said that for grant compliance for the fire truck, this code is needed.

Commissioner Johnson moved to approve the code of conduct. Commissioner Lanoue seconded. Motion carried unanimously.

#### **APPROVAL FOR EMERGENCY OPERATIONS PLAN**

Interim City Manager Uri stated that although Commissioner Lanoue had pointed out some minor typographical errors, he would like to proceed with the understanding the changes would be made.

Commissioner Hosie moved to accept the emergency operations plan with the suggested changes. Commissioner Lanoue seconded. Motion carried unanimously.

#### **NATIONAL ORPHAN TRAIN SIGN AGREEMENT**

Interim City Manager Uri said that the signs have been purchased by those named in the agreement, but in order to place the signs along the highway, they must be owned by the city.

Commissioner Hosie moved to approve the National Orphan Train sign agreement. Commissioner Lanoue seconded. Motion carried unanimously.

#### **SALES TAX EDUCATIONAL CAMPAIGN**

Steve Womack and Dick Lowrey have proposed this campaign. They would raise \$1000 from private sources, and would like the city to match the funds for an advertising campaign to promote local shopping.

It was suggested that the city approve the advertising. Mayor Hattan said he would like to have Commissioner Jindra represent the commission in reviewing the advertising. Commissioner Johnson asked from what fund this would be paid. The economic development fund was recommended.

Mayor Hattan moved to approve the expenditure of \$1000 for a sales tax educational campaign. Commissioner Lanoue seconded. Motion carried 4-0, with Commissioner Jindra abstaining due to his involvement in the campaign.

### **LAMBERT RIGHT OF WAY LICENSE**

This agreement involves land north of the airport recently purchased by Keaton Lambert. There was an agreement with the previous landowner to farm over the platted streets of 19<sup>th</sup> and 20<sup>th</sup> St. Mr. Lambert would like the same agreement. Mr. Lambert carries \$300,000 insurance on a farm umbrella policy.

Commissioner Johnson asked about the previous owner having an easement on 20<sup>th</sup> St. for the airport hangar. Interim City Manager Uri said this has not been located at this point.

Commissioner Johnson moved to approve the Lambert right of way license. Commissioner Hosie seconded. Motion carried unanimously.

### **LETTER OF SUPPORT FOR BELOIT JUVENILE FACILITY**

There has been talk of closing the Beloit juvenile facility. The letter shows Concordia's support to the city of Beloit and the facility's importance to the local communities.

Commissioner Hosie moved to approve the letter of support for the Beloit juvenile facility. Commissioner Lanoue seconded. Motion carried unanimously.

### **SEWER HOOKUP LICENSE**

This license has been prepared at the suggestion of Commissioner Lanoue at the last meeting, concerning requests by local citizens to tie into the city's sewer system. A legal description can then be filed with the county.

### **RESOLUTIONS:**

#### **2009-1838 SISTERS OF ST. JOSEPH IN CONCORDIA DAY**

Mayor Hattan read the resolution declaring June 3, 2009, Sisters of St. Joseph of Concordia Day. Sisters Judy Stephens and Regina Ann Brummel thanked the commission for the resolution and talked of the ongoing 125 year celebration.

Mayor Hattan made a motion to approve resolution 2009-1838. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

### **MANAGER'S REPORT**

Interim City Manager Uri said that the Corps of Engineers had not returned his call, and that the college had not yet returned his call concerning the engineer's report on the water pressure issue. He spoke of the auditors who had been at the city for the past three days.

### **MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson pointed out a typographical error on the code of conduct. He inquired about mowing the nuisances. Ron Copple said that there were two properties the city would be taking care of, out of the fifty letters that had been sent out to the homeowners.

Commissioner Hosie said the city was fortunate that Babe Houser Motors had not received a notice to close from Chevrolet. He talked about the success of the recent intergovernmental meeting and the possibility of holding another meeting.

### **STAFF COMMENTS**

Ron Copple thanked Kim & Tammy Budreau for their recent donation of an announcing booth at the sports complex in honor of their son, Justin. Mr. Copple had priced guardrails for the city-owned bleachers, which would cost approximately \$2000 per bleacher, or \$26,000 for all bleachers. Mayor Hattan suggested making this a budget item.

Mr. Copple talked of the electrical plug-ins placed on an aerial at the park for the recent sampler festival. In the 1970s, a grant was received for the swimming pool from Kansas Wildlife and Parks. The original agreement stated that no aerial lines would be placed in the park. Because of the grant, permission is needed to keep this in place.



**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

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 3, 2009**

The governing body met in regular session on June 3, 2009, 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.

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: Brad Lowell, Toby Nosker, Don Lanoue, Janet Lowell, Janet Eubanks, Bob Burns, Marvin Copple, Ron Deal, Jim Stromberg, Ron Copple, Larry Eubanks, Larry Remmenga, Thaniel Monaco, Tammy Britt, Tom Tuggle, Terry Collins, Deb Ohlde, Rick Underbakke, Amber Hein, Bruno Rehbein, Danny Parker.

Pastor Bob Burns gave the invocation followed by the reciting of the Pledge of Allegiance.

Mayor Hattan asked for changes on the agenda. Interim City Manager Uri added a discussion of the engineer's estimates for the college water project on the study session.

**APPROVAL OF MINUTES** **APPROVED**

There were no comments.

Commissioner Hosie moved to approve the minutes of the May 20, 2009, meeting. Commissioner Johnson seconded. Motion carried unanimously.

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

Interim City Manager Uri answered an earlier emailed question from a commissioner about check #50968 to the college, which included busing lifeguards to Salina for testing, and the recreation bus trip to the Royals game.

Mayor Hattan moved to approve appropriation ordinance #10. Commissioner Hosie seconded. Motion carried unanimously.

**PUBLIC COMMENTS**

There were no comments.

**NEW BUSINESS:**

**DEMOLITION PROGRAM APPLICATION**

Bruno Rehbein introduced the application for the Baptist Church's property at 336 W. 6th, with the demo allowing for more parking for them. Commissioner Hosie asked if there has been much interest in the demo program this year. Mr. Rehbein answered that there has not.

Commissioner Johnson moved to approve the demolition program application at 336 W. 6th. Commissioner Lanoue seconded. Motion carried unanimously.

**CLOUDCORP PRESENTATION ON NORTH DEVELOPMENT**

Kirk Lowell of CloudCorp was on hand to give a presentation for the proposed annexation of the north development property. The Kansas Department of Transportation has purchased land on Hwy. 81 and Union Road, and would like to be annexed in order to receive city services of water and sewer. Concordia Tractor is in negotiations for land for their new building and a lagoon system is not cost-effective. Also, they would be limited on their water usage as the area is closed to new commercial and irrigation water permit allocations. The annexation would be an island annexation, which means that no property will be annexed except for tracts whose owners specifically request annexation.

Discussion included the possibility of bonds for the city to pay for this project, \$850,000 from KDOT, and projected fees to new businesses that choose to have their land annexed to contribute to the total cost. No new roads could come off of Hwy. 81 but a frontage road could be added off of Union Road for further development. Also it was noted that the property tax would not increase for those landowners who choose not to have their land annexed.

Mr. Lowell is asking for separate development agreements between Concordia Tractor and the city, and KDOT and the city. It was decided that there was time to discuss this during the budget.

**OLD BUSINESS:****COMMUNITY DEVELOPMENT BLOCK GRANT – FIRE TRUCK**

Deb Ohlde presented paperwork on the recently awarded grant to purchase a new fire truck, needing signatures before submitting it to the state. This grant will cover half of the purchase. If the cost is less than the original estimate of \$337,500, the city and the state would share the savings. If the cost is higher, the difference will be the city's responsibility. A code of conduct is required for the grant, together with written procurement procedures, and a civil rights policy.

Commissioner Hosie moved to enter into the state contract for the grant application. Commissioner Lanoue seconded. Motion carried unanimously.

Commissioner Johnson moved to adopt the civil rights policy. Commissioner Lanoue seconded. Motion carried unanimously.

Commissioner Johnson moved to authorize the mayor to sign all documents. Mayor Hattan seconded. Motion carried unanimously.

Ms. Ohlde said that the state has no regulation requiring performance bid or payments bonds. Larry Eubanks said that a performance bond is around \$1000 and added onto the purchase. Also, by making a pre-payment for the truck, there could be a savings of about \$5000. Interim City Manager Uri felt that with the economy the way it is, it would be best to not send money up front.

**MANAGER'S REPORT**

Interim City Manager Uri introduced Amber Hein, the city's new finance director. He also noted that a representative of the Corps of Engineers would be present at the next meeting to answer questions on the flood control project. Interim City Manager Uri said that the IRS penalties assessed to the city over unpaid withholding taxes in 2008 would not be abated.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson asked about a street light application on the east edge of the city limits on 4<sup>th</sup> St. Ron Copple said he had not had time to look into it. Commissioner Johnson asked what progress had been made on changing the dais. Interim City Manager Uri said that he had not heard from Eric Johnson. Commissioner Johnson asked about the Farmers Market. Interim City Manager Uri explained that there was talk of blocking off the entire street for this and a business owner was unhappy with this decision.

Commissioners Hosie and Lanoue welcomed Amber to the city staff.

Mayor Hattan voiced his disapproval over past staff members who had allowed the withholding taxes to go unpaid for three quarters, with penalties and interest totaling \$42,961.

**STAFF COMMENTS**

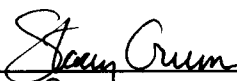
Ron Copple invited everyone to Community Day at the airport on June 12. HWS will have a presentation on the airport master plan update.

**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. Commissioner Lanoue seconded. Motion carried unanimously.

(Seal)

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

**ATTACHMENTS**

**IN**

**FILE**

# Memorandum

Date: 1 December 2008

To: Larry Uri, Interim City Manager; Megan Murdock, Payroll Clerk

From: Ruby Maline, Director of Finance

Re: Payroll Issues

This year, the IRS and Ks Dept of Revenue strongly encouraged entities to begin online paying for payroll taxes as well as filing the tax reports online. For quite some time we utilized a form of electronic payment by calling the information in, but this year everyone was supposed to go ACH using the EFTPS system.

Early on, while doing bank reconciliations, I noticed that these payments were not being deducted from our checking account. I brought this to Cher's attention. She told me that she would take care of it. This went on unresolved for several months. Finally, I brought it to City Manager, Mark Skiles attention. He addressed the issue with Cher. It still didn't get resolved. Finally, Sept 5<sup>th</sup> he told me to just get Cher's files and handle it myself. When that happened, Cher terminated her employment with the city.

After a review of the very brief and incomplete notes Cher had on her attempts to resolve the issue, I contacted the IRS and started working on paying our liabilities. On Sept 5<sup>th</sup>, I made arrangements with EFTPS to withdraw the amount of our liability from our bank account. By the time I was transferred to the right person (this was an all day process-I spent 40 minutes on hold with each of three different people and ended up speaking with 11 people before the issue was resolved) it was late afternoon and they couldn't take the money out of our account until Sept 8<sup>th</sup>. I also contacted the State and made arrangements to withdraw the amount of our state liability.

In the meantime, Stacey and I started going through the stacks of papers on and in Cher's desk and those that she had put back in the office we use for HR files, and found numerous unopened envelopes from the IRS and the State Dept of Revenue.

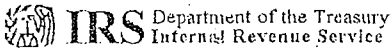
The State of Kansas charged us with penalties and interest in the amount of \$6,839.35. I requested and received an abatement of that entire amount.

The IRS has charged us with penalties and interest in the amount of \$42,961.07. On Sept 8<sup>th</sup>, I requested an abatement of those penalties and interest. Originally, I was inclined to not pay the

penalties and interest because I had requested an abatement and believed they would put a hold on the accrual of additional charges until the matter was resolved.

I received an acknowledgement of receipt of my request. They told me to call back Oct 8<sup>th</sup> to check the status of the request. I did and they told me to call back November 10<sup>th</sup> to check on the status. On that date they told me they had assigned my request to a representative but it had not been reviewed, yet. It was during this conversation that I learned the penalties and interest were still accruing. The representative I talked to said we should go ahead and pay those and if the IRS decided in our favor, they would refund whatever amount they agreed to abate. So we paid them. I would prefer to say we have all issues resolved but we do not.

We received a letter today (December 1<sup>st</sup>) saying it would be another 45 days before they would review our file. Since we are now fully integrated with the EFTPS system and our payments are current and are now filed timely and accurately, we believe that we will receive the requested abatement of penalties and interest.



CINCINNATI OH 45999-0038

In reply refer to: 0244548554  
May 18, 2009 LTR 852C i0  
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BODC: TE

CITY OF CONCORDIA  
% OFFICE OF CITY CLERK  
PO BOX 603  
CONCORDIA KS 66901-0603

Taxpayer Identification Number: 48-6020606  
Tax Periods: Mar. 31, 2008 June 30, 2008  
Sep. 30, 2008  
Form: 941  
Kind of Penalty(s): Failure to Deposit  
Failure to Pay

Dear Taxpayer:

#### WHY WE ARE CONTACTING YOU

Thank you for your inquiry dated Feb. 02, 2009 asking us to remove your penalty(s).

You asked us to remove the penalty(s) charged on tax periods ended Mar. 31, 2008, June 30, 2008, and Sep. 30, 2008. However, after carefully reviewing your case, we did not find a basis for removing your deposit penalties.

#### WHY WE COULD NOT REMOVE YOUR PENALTY CHARGES

You explained that your untimely tax deposit was caused by the actions of someone else. The courts have held that the responsibility for making a timely deposit cannot be delegated. Thus, the fact that your employee handled all of your tax matters is not a mitigating circumstance. You are responsible for making a timely deposit and someone else's failure cannot serve as a basis for removing your penalty.

You explained that you were unable to make your federal tax deposit timely because you were not aware of general tax deposit rules. We understand that your failure to make a timely deposit was not intentional. However, it is the responsibility of the taxpayer to become familiar with the basic requirements for making federal tax deposits. These requirements are fully explained in the Employer's Tax Guide (Circular E, Publication 15) which you can get from any local IRS office. Your lack of knowledge of, or your lack of familiarity with, general tax deposit rules cannot be used as a basis for removing your deposit penalty.

We appreciate the difficulties associated with the transition you described. However, the kind of transition you described,

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May 18, 2009 LTR 852C 10  
48-6020606 200803 01 000  
00009567

CITY OF CONCORDIA  
% OFFICE OF CITY CLERK  
PO BOX 603  
CONCORDIA KS 66901-0603

a changing of personnel, is not uncommon in the business world. It is reasonable to expect an employer to take measures to assure the timely deposit of taxes during a transition period.

We have reviewed your account and are sending you this corrected 852C letter, as the previous 854C letter was based off of incorrect information. This letter is more complete and correct for your situation. We have forwarded your Form 2848 for processing. If you wish to appeal please follow the guidelines set forth herein.

Also, we are unable to remove the penalty for Failure to Pay for the same reason(s) we are unable to remove your Failure to Deposit penalty.

You asked us to remove the interest as well as the penalty(s) on your account. However, the law does not permit us to remove interest for reasonable cause. We charge interest on any unpaid tax, regardless of whether you had reasonable cause.

#### WHAT TO DO IF YOU DISAGREE

If you have additional information and want your case to receive further consideration by the Office of Appeals, please provide a detailed written statement of the dispute issues, along with supporting documentation, to the Service Center Appeals Coordinator within 60 days from the date of this letter. It should include:

1. Your name and address;
2. Your employer identification number;
3. A statement that you want to appeal the findings;
4. A statement of facts supporting your position on the issues you are appealing;
5. If possible, a statement outlining the law or other authority on which you rely;
6. A copy of your original request, if available; and
7. A copy of this letter.

The statement of facts, in 4 above, should be detailed and complete, including specific dates, names, amounts, and locations. You must declare the statement true under penalties of perjury. You may do this by adding to your statement the following signed declaration:

"Under penalties of perjury, I declare that the facts presented in my written protest, which are set out in the accompanying statement of facts, schedules, and other statements are, to the best of my knowledge and belief, true, correct, and complete."



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CITY OF CONCORDIA  
% OFFICE OF CITY CLERK  
PO BOX 603  
CONCORDIA KS 66901-0603

If your authorized representative sends us the protest for you, he or she may substitute a declaration stating that he or she prepared the statement and accompanying documents and whether he or she knows that the statement and accompanying documents are true and correct.

Please address your response to:

Internal Revenue Service  
Service Center Penalty Appeals Coordinator  
Attn: Gloria M. Collini  
201 W. Rivercenter Blvd. Stop 511  
Covington KY 41011

Even though you are requesting consideration by the Appeals Office, the Service Center Appeals coordinator will review your additional information first, to determine whether the penalty should be removed or reduced. If your appeal can't be resolved immediately with the additional information, the coordinator will send your written statement to the Appeals Office serving your district.

#### REPRESENTATION

An attorney, certified public accountant, or person enrolled to practice before the Internal Revenue Service may represent you. To have someone represent you, attach a Form 2848, Power of Attorney and Declaration of Representative, (or similar written authorization) to your written statement.

Forms, instructions, and Treasury Department Circular No. 230, Regulations Governing the Practice of Attorneys, Certified Public Accountants, Enrolled Agents, Enrolled Actuaries, and Appraisers before the Internal Revenue Service are available from any Internal Revenue Service office. They are also available by calling 1-800-829-3676 and from our website at [www.irs.gov](http://www.irs.gov).

#### OTHER INFORMATION

If taxes are overdue on your account, you will continue to receive bills even if you appeal the penalty. If you decide to appeal, you may pay the penalty to avoid further interest charges on the penalty amount. If you appeal the penalty and the Appeals Officer determines that you are not required to pay it, we will adjust your account and send you a refund.

If you don't appeal, you may file a claim for refund after you pay the penalty. If you want to take your case to court immediately, you

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should request in writing that your claim for refund be immediately rejected. Then you will be issued a notice of disallowance. You have two years from the date of the notice of disallowance to bring suit in the United States District Court having jurisdiction or in the United States Claims Court.

#### HOW TO CONTACT US

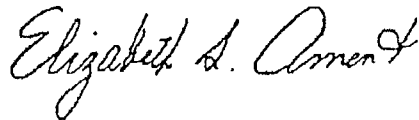
If you have any questions, please call us toll free at 1-800-829-0115.

If you prefer, you may write to us at the address shown at the top of the first page of this letter.

Whenever you write, please include this letter and, in the spaces below, give us your telephone number with the hours we can reach you. Also, you may want to keep a copy of this letter for your records.

Telephone Number ( ) \_\_\_\_\_ Hours \_\_\_\_\_

Sincerely yours,



Elizabeth S. Ament, Operations Mgr.  
Accounts Management Operations

Enclosures:  
Copy of this letter  
Envelope  
Publication 15

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 17, 2009**

The governing body met in regular session on June 17, 2009, 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.

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, Bob Burns, Jim Stromberg, Danny Parker, Sr. Judy Stephens, Don Lanoue, James Ganson, Ron Copple, Sara Hicks, Megan Murdock, Wade Carter, Gloria Hamch, Jill Hamel, Marvin Copple, Ivadell Christian, Jim Wahlmeier, Patricia Gerhardt, Elaine Yoxall, Ken Johnson, Larry Remmenga, Ron Deal, Larry Eubanks, Crystal Paredes, Kirk Lowell, Jim Winter, Frankie Hottman, Darlene Hepperly, Pearl Townsend, Jean Swiercinsky, Dean Williams, Joyce Williams, Betty Remmenga, John XXX, Alan Holland, Amber Hein.

Pastor Bob Burns gave the invocation followed by the reciting of the Pledge of Allegiance.

Mayor Hattan asked for changes on the agenda. Interim City Manager Uri added an executive session for non-elected personnel. To facilitate the large number of interested residents, the Corps of Engineers report was moved to the first item under old business. Item C, curb & gutter applications, was removed under new business, along with the corresponding resolution.

### **APPROVAL OF MINUTES**

### **APPROVED**

There were no comments.

Commissioner Johnson moved to approve the minutes of the June 3, 2009, meeting. Commissioner Lanoue seconded. Motion carried unanimously.

### **APPROPRIATION ORDINANCE NO. #11**

### **APPROVED**

Commissioner Johnson said that the copies of purchasing cards receipts that were received in the packets were not complete. Commissioner Johnson asked if the auditor payment was the final payment. Interim City Manager Uri said it was not. Commissioner Johnson asked why the city was paying for the title search for a demo house. Interim City Manager Uri said that the cost was passed on to the homeowner. Commissioner Lanoue questioned the Concordia Motorsports payment. Interim City Manager Uri answered that it was a race donation.

Commissioner Johnson moved to approve appropriation ordinance #11. Mayor Hattan seconded. Motion carried unanimously.

### **PUBLIC COMMENTS**

There were no comments.

### **OLD BUSINESS:**

#### **CORPS OF ENGINEERS REPORT ON FLOOD CONTROL PROJECT**

John Grothaus and Alan Holland of the Corps of Engineers presented a power point presentation on their recommendation of the city's future plans for the dam. The city needs a feasibility study in order to complete the project for a 50-50 cost sharing. The Corp's preliminary findings included: 1) Remove the dam (don't recommend), 2) Reconstruct 20<sup>th</sup> St. dam with modern reliability (almost 100 year protection) at a cost of \$1,454,000, or 3) Reconstruct 20<sup>th</sup> St. dam and robust upstream storage (500 year protection) at a cost of \$5,606,000. The feasibility study completion is estimated to cost approximately \$300,000, at a cost to the city of \$150,000.

Because the Corps puts out funding requests two years in advance, they are asking for a commitment from the commission on the project in the near future in order to go forth. The request is already in for the \$150,000 for 2010. Construction could be expected to begin in 2012 or 2013, with completion in 2013 or 2014.

The Corps will provide the city with a written report of the results of the recently completed risk management study. The Corps will also provide the city with a letter describing the next stage of the planning process and establishing the exact amount of the city's required contribution. The Corps will also provide the city with a format for a letter requesting that the Corps proceed with the next phase.

#### **KDOT STIMULUS GRANT CONTRACT APPROVAL**

This agreement is for stimulus funds for the 5<sup>th</sup> Street project, State Street to Davies Drive. The total cost of the project is \$450,283, with the state's participation at \$425,283. Anything over this cost will be the city's responsibility.

Commissioner Johnson had questions and concerns over the language of certain sections.

Commissioner Hosie moved to approve the KDOT stimulus grant contract. Commissioner Lanoue seconded. Motion carried unanimously.

#### **NEW BUSINESS:**

##### **CHAMBER OF COMMERCE FIREWORKS DONATION**

The money requested will help the Chamber fund the annual city fireworks display. No action was needed.

##### **DEMOLITION PROGRAM – 507 E. 6TH**

Bruno Rehbein presented the expenses for the demo program on 507 E. 6<sup>th</sup> to be refunded to the homeowner now that the project has been completed.

#### **ORDINANCES:**

##### **2009-2976 EMC ADJUSTED RATES**

**PASSED**

Fire Chief Larry Eubanks said he'd done a study of ambulance runs from 2007, 2008 and 2009. He'd found the average cost per run in 2007 was \$590, and is now \$695. The average cost per long distance transfer was \$1227 in 2007, and is now \$1266.

Mayor Hattan made a motion to approve ordinance 2009-2976. Commissioner Hosie seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

##### **2009-2977 BROKEN WINDOW ORDINANCE**

**PASSED**

The ordinance allows for the responsibility of property owners to see there are not temporary coverings on the exterior in the downtown business district for more than thirty (30) days. It is not a nuisance ordinance; offenders can be fined.

Commissioner Hosie made a motion to approve ordinance 2009-2977. Mayor Hattan seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

#### **RESOLUTIONS:**

##### **2009-1839 UNSAFE STRUCTURE 435 E. 1<sup>ST</sup>**

**PASSED**

The resolution authorizes the city to set a public hearing to deem 435 E. 1<sup>st</sup> as unsafe and dangerous.

Commissioner Hosie made a motion to approve resolution 2009-1839. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

##### **2009-1840 BONDS FOR CONSTRUCTION OF WASTEWATER TREATMENT FACILITY IMPROVEMENTS**

**PASSED**

This resolution involves the possibility of general obligation bonds not to exceed \$300,000 for the wastewater treatment facility improvements.

Mayor Hattan made a motion to approve resolution 2009-1840. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

**2009-1841 CONSTRUCTION OF SEWAGE DISPOSAL WORKS****PASSED**

This resolution involves the possibility of general obligation bonds not to exceed \$200,000 for the wastewater treatment facility improvements.

Mayor Hattan made a motion to approve resolution 2009-1841. Commissioner Johnson seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

**EXECUTIVE SESSION – PRELIMINARY DISCUSSION FOR REAL ESTATE ACQUISITION** **HELD**

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for the preliminary discussion of real estate acquisition. Inviting: Interim City Manager Uri. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:55 p.m.

The commission reconvened at 7:05 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 ten (10) minutes for the preliminary discussion of non-elected personnel. Inviting: Interim City Manager Uri. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 7:06 p.m.

The commission reconvened at 7:16 p.m.

Mayor Hattan announced there was no binding action taken.

**MANAGER'S REPORT**

Interim City Manager Uri reminded the commission that Utilities Director Larry Remmenga's last day of service is June 30, and invited the public to a reception at city hall on June 26. Interim City Manager Uri read a list of accomplishments during Mr. Remmenga's tenure with the city.

Mr. Remmenga notified the commission that the previous night there was a sewer backup at the old Wal-Mart location. This being an ongoing problem area, he asked the commission for permission to go out for bids for the project. The engineering has already been done. The estimate is \$43,000 and there is money on hand for this project.

Commissioner Johnson moved to approve accepting bids for the project. Mayor Hattan seconded. Motion carried unanimously.

Discussion ensued on the purchasing cards. Ideas were discussed on how to handle tracking, and make the reports more concise. Those opposing the everyday use of the cards spoke. It was suggested that they be used only for travel and online purchases. Interim City Manager Uri said he would check into the best way to handle future purchases.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson asked about franchise fees, and if all are being collected. Interim City Manager Uri said he would be working with the finance director on the budget, and this would be addressed. Commissioner Johnson said he would like a simple, itemized report on revenues. Interim City Manager Uri said we were working on that. Commissioner Johnson asked about the Brown Grand roof. Ron Copple said that within a week, plans were to begin the work. Commissioner Johnson said the shelter houses needed painted and cleaned. Mr. Copple said it was being done now. Commissioner Johnson said a sign on Country Club Drive was covered with tree limbs. Mr. Copple said that would be taken care of. Commissioner Johnson asked for a sign designating the turning and through traffic lanes on 6<sup>th</sup> and Lincoln. Commissioner Johnson asked if ambulance billing was back in house. Interim City Manager Uri said we're in the process of that now.

Commissioner Hosie asked about pool attendance and concessions. Interim City Manager Uri promised an update of this at the next meeting. Commissioner Hosie commended Larry Remmenga on a job well done.

Commissioner Lanoue spoke of the success of Airport Day. She thanked Larry Remmenga for his years of service.

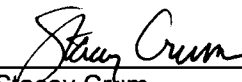
Mayor Hattan congratulated Larry Remmenga on his retirement. He wished Amber Hein best wishes on her upcoming marriage. He thanked Katrina Sorell for her willingness to take on ambulance billing.

### **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 Johnson seconded. Motion carried unanimously.

(Seal)

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

**ATTACHMENTS**

**IN**

**FILE**

**MINUTES OF THE SPECIAL CALL COMMISSION MEETING HELD JUNE 29, 2009**

The governing body met in special call meeting for budget planning on June 29, 2009, at 7:00 p.m., in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Jindra, Hosie, Johnson and Lanoue.

Absent: None.

Other Officers: Interim City Manager Uri and City Clerk Crum.

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

Visitors: Ron Deal, Wade Carter, Larry Eubanks, Amber Farha, Larry Remmenga, Chad Buckley, Ron Copple, Danny Parker.

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

**TO THE BOARD OF CITY COMMISSIONERS:**

Special meeting of the Board of Commissioners are hereby called to be held as follows:

Place: City Commission Room, City Hall, Concordia, Kansas  
Date: June 29, 2009  
Time: 7:00 o'clock p.m.

The object of said meeting will be as follows:

1. Call to Order
2. Budget Planning
3. Adjournment

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

\_\_\_\_\_  
GREG HATTAN  
COMMISSIONER

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

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

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

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

TO: Greg Hattan, 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 7:00 o'clock p.m. on the 29<sup>th</sup> day of June, 2009, at the City Commission Room, City Hall, Concordia, Kansas, the object of said meeting to be as follows:

Place: City Commission Room, City Hall, Concordia, Kansas



Date: June 29, 2009  
Time: 7:00 o'clock p.m.


The object of said meeting will be as follows:

1. Call to Order
2. Budget Planning
3. Adjournment

(Seal)

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

You are hereby directed to serve the above notice at once personally upon Commissioner (s) Greg Hattan, 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 25th day of June, 2009, and to make a return in writing of said service, showing the manner of such service.

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

(Seal)

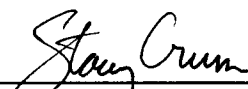
#### RETURN OF SERVICE

The undersigned received the original notice of Special City Commission meetings of which the foregoing is a copy at, 3:30 o'clock p.m., June 24, 2009 (Greg Hattan); 3:40 o'clock p.m., June 24, 2009 (Darrel Hosie); 2:00 o'clock p.m., June 24, 2009 (Charles Johnson); 3:45 o'clock p.m., June 24, 2009 (Joe Jindra); and 3:55 o'clock p.m., June 24, 2009 (Cheryl Lanoue).

1. Served the same personally on Greg Hattan. /s/ Clinton Fraser.
2. Served the same at residence on Darrel Hosie. /s/ Clinton Fraser.
3. Served the same personally on Charles Johnson. /s/ Stacey Crum.
4. Served the same personally on Joe Jindra. /s/ Clinton Fraser.
5. Served the same at residence on Don Lanoue. /s/ Clinton Fraser.

The preliminary 2010 budgets of the public works and water/sewer departments were presented by Ron Copple and Larry Remmenga, respectively. Discussion was held by the commission on these preliminary figures.

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

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

(Seal)

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 1, 2009 (Amended)**

The governing body met in regular session on July 1, 2009, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Jindra, Johnson, Lanoue, and Hosie.

Absent: Mayor Hattan.

Other Officers: Interim City Manager Uri and City Clerk Crum.

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

Visitors: Jessica LeDuc, Toby Nosker, Sister Judy Stephens, Ted Collins, Mary Dean Nelson, Joshua Meyer, Denise de Rochefort-Reynolds, Jean Rosemary Noski, Danny Parker, Susan Sutton, Susan Cantine-Maxson, John States, Marvin Copple, Larry Eubanks, Tim Halfhide, Chad Buckley, Don Lanoue, Jim Stromberg, Thaniel Monaco, Betty Remmenga, Larry Remmenga, Wade Carter, Cathy Feriend, Justin Poore, Janet Lowell, Gary Dvorak, Ron Copple, Bruno Rehbein, Amber Hein.

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

Mayor Pro-Tem Lanoue asked for changes to the agenda. Interim City Manager Uri said an updated agenda was handed out which added Thaniel Monaco, to speak about the college water issues.

### **APPROVAL OF MINUTES**

### **APPROVED**

There were no comments.

Commissioner Johnson moved to approve the minutes of the June 17, 2009, meeting. Commissioner Hosie seconded. Motion carried.

### **APPROVAL OF SPECIAL MEETING MINUTES**

### **APPROVED**

Mayor Pro-Tem Lanoue said that she would like the minutes to reflect that her husband was served notice of the special meeting.

Commissioner Hosie moved to approve the minutes of the June 15, 2009, special meeting as amended. Mayor Pro-Tem Lanoue seconded. Motion carried.

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

### **APPROVED**

Commissioner Johnson asked for what project Campbell & Johnson were being paid. Interim City Manager Uri answered that it was the Broadway sewer project.

Commissioner Johnson moved to approve appropriation ordinance #12. Commissioner Hosie seconded. Motion carried.

### **PUBLIC COMMENTS**

There were no comments.

### **OLD BUSINESS:**

#### **THANIEL MONACO – UPDATE ON CCCC WATER PROJECT**

Thaniel Monaco of BG Consultants presented pay request #2 for the wastewater treatment plant improvement project for ongoing construction activities and demo of screening equipment and clarifier.

Commissioner Johnson asked if this project would be covered by temporary notes. Interim City Manager Uri answered in the affirmative.

Commissioner Jindra moved to approve payment #2 to Walters-Morgan Construction for \$125,513.10. Commissioner Johnson seconded. Motion carried.

Mr. Monaco discussed the college water project. He explained the different types of booster stations that may be utilized to provide a pressure increase within the evaluation area and discussed the two options to help maintain pressure, including different sizes of tanks.

Mayor Hattan entered and took his seat.

Mayor Hattan requested information on other cities using one of the discussed options. Commissioner Jindra asked if a tower in the college area could also serve other customers, and if a larger tank could run at less than full capacity if the larger is purchased for future potential growth. Mr. Monaco said that it could. A reasonable conservative estimate on a smaller tank would be \$1,000,000. The larger tank would be roughly \$1,300,000, with a booster system adding \$500,000.

**NEW BUSINESS:****FRANK CARLSON LIBRARY – REQUEST OF FUNDS**

Joshua Meyer of the library board presented a letter to the commissioners. The library's appropriations request, not more than 3% from the previous year, is \$143,301. Commissioner Lanoue inquired if this amount includes the library benefit. Mr. Meyer said it did not. He spoke of successful past and ongoing projects and future goals for the library.

**BROWN GRAND THEATRE – REQUEST OF FUNDS**

Susan Cantine-Maxson, executive director of the Brown Grand Theatre, told the commission that a recent request for a grant for air conditioning, curtains and rigging was denied. The AC unit is well over fifty years old and in dire need of replacement. An earlier bid of \$54,461 was received during the grant process.

**RESOURCE COUNCIL – REQUEST OF FUNDS**

Cathy Feriend spoke of the services the resource council provides to the community. She requested funds of \$12,000, the same as the last two years.

**SENIOR CITIZENS CENTER – REQUEST OF FUNDS**

Gary Dvorak, of the North Central Flint Hills Area Agency on Aging, talked of the local senior citizens center. One high point he shared is that Concordia serves more meals each day than all surrounding communities, including Salina. Mr. Dvorak's request was \$4,000, the same as last year.

**AIRPORT ADVISORY BOARD APPOINTMENTS****KIRK LOWELL, RAY PALMER**

Ron Copple said that both Kirk Lowell and Ray Palmer currently serve on the board, and expressed interest to be reappointed.

Commissioner Hosie moved to reappoint Kirk Lowell and Ray Palmer to the airport advisory board. Mayor Hattan seconded. Motion carried unanimously.

**CURB & GUTTER APPLICATIONS AND RESOLUTIONS**

Commissioner Hosie moved to accept the curb & gutter petitions. Commissioner Jindra seconded. Motion carried unanimously.

Commissioner Hosie moved to approve resolution 2009-1842. Commissioner Jindra seconded. Motion carried unanimously.

**BUDGET PLANNING**

Larry Eubanks presented his budget for the fire/EMS department, and invited Dr. Justin Poore to speak in support of the hiring of an additional two firefighters in order to accept more long distance transfers.

Interim City Manager Uri suggested that the rest of the meeting be finished, then continue with budget discussion during a study session if so desired.

**MANAGER'S REPORT**

Interim City Manager Uri spoke of advertising to find someone with ideas for economic development, to expend \$4000 set aside for that purpose. Someone from the media had instructed him that we did not have enough budgeted to effectively advertise. Mayor Hattan said he'd like to go ahead with the advertising and make the attempt to find someone, as did Commissioners Lanoue and Johnson. Commissioner Jindra wanted to go on record stating "no comment" considering his conflict of interest.

Interim City Manager Uri wanted input on the short term safety measures with the dam project, whether it be shoring up the culvert or acquiring an emergency phone system. Both options would cost conservatively at least \$3500 each. Commissioner Lanoue asked if there was a way to utilize the school district's emergency system. Commissioner Hosie expressed reservations about the phone system. It was decided to explore the option of a liner for the culvert.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Jindra expressed his desire to improve the budget process over previous years. He said though the economy is tighter, with smaller sales tax numbers, there are great opportunities like north development, and listed the refinancing of existing debt to create more capital improvement projects as a great idea. He suggested keeping a book with the questions and comments concerning the budget so the public could see the discussion, and having more budget meetings after having time to review the material. Commissioner Jindra thanked Mayor Hattan for his leadership.

Commissioner Lanoue agreed, although she'd like to see what capital outlay items are being expended for, so she wouldn't have to ask each department head about their transfers. She'd also like an explanation of a substantial increase in a line.

The consensus was that a special meeting would be beneficial to discuss the large projects and bond refinancing before the final budget numbers could be ready. It was decided that the special meeting would be called for July 13 at 7 p.m.

Commissioner Johnson asked what materials had not been provided for the auditor when he was here. Interim City Manager Uri said that there were still problems reconciling, and that it was possible an independent CPA might need to be hired to get year end numbers to complete the budget. Commissioner Johnson asked if employee vacation time was tracked. Interim City Manager Uri said it was. Commissioner Johnson inquired about the status of the drug dog. Danny Parker said the dog was being used. Commissioner Johnson asked about the progress with the dais. Interim City Manager Uri said the engineer could be invited to the next meeting to discuss this. Commissioner Johnson requested that an accumulation of minutes be kept in the library.

Commissioner Hosie congratulated Danny Parker on his new position.

Commissioner Lanoue congratulated Mr. Parker. She also said that she did not agree with the decision to pay Mr. Parker vacation time over the allowed 160 hours according to the employee handbook. Commissioner Johnson inquired on this subject. Interim City Manager Uri explained that Mr. Parker has a signed contract from a previous city manager that is possibly a violation of personnel policies. Commissioner Johnson asked for a copy of the contract, which Interim City Manager Uri provided.

Commissioner Johnson talked of the interim police chief that has been hired. He asked if we currently have a second in command. Danny Parker said we do not. Commissioner Lanoue expressed her displeasure over the choice and questioned why the opportunity wasn't given to current staff. Commissioner Hosie said that the city manager's job is to hire and fire and that is not a commission role.

Mayor Hattan asked for an executive session for non-elected personnel.

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

#### **HELD**

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for non-elected personnel. Inviting: Interim City Manager Uri. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 8:30 p.m.

The commission reconvened at 8:40 p.m.

Mayor Hattan announced there was no binding action taken.

#### **STAFF COMMENTS**

Ron Copple told the commissioners that KDOT will be striping through Concordia on Highway 81. Upon a question about the five year plan by Mayor Hattan, Mr. Copple talked about possible funding of these projects through several avenues.

#### **ADJOURN**

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

(Seal)

  
 Stacey Crum  
 City Clerk

**ATTACHMENTS**

**IN**

**FILE**

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JULY 15, 2009 (Amended)**

The governing body met in regular session on July 15, 2009, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Johnson, Lanoue, and Hosie.

Absent: Commissioner Jindra.

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, Don Lanoue, Marvin Copple, Ron Deal, Sara Hicks, Jean Rosemary Noski, Anna Marie Broxterman, Jim Stromberg, Kirk Lowell, Bruce Johnson, Larry Eubanks, Wade Carter, Chad Buckley, John Davis, Steve Wetter, Ron Copple, Amber Hein.

There was no invocation.

The Pledge of Allegiance was recited.

Mayor Hattan asked for changes to the agenda. Interim City Manager Uri said the police car bids were just distributed tonight and the commission did not need to vote on it until next meeting. Commissioner Johnson asked for an executive session for non-elected personnel.

### **APPROVAL OF MINUTES**

### **APPROVED**

Commissioner Lanoue noted that the library requested funds of \$143,301 and also \$34,744 library employee benefit funds. Commissioner Johnson wanted his request for a copy of Danny Parker's employment contract mentioned.

Commissioner Johnson moved to approve the minutes of the July 1, 2009, meeting as amended. Commissioner Lanoue seconded. Motion carried.

### **APPROPRIATION ORDINANCE NO. #13**

### **APPROVED**

Commissioner Lanoue asked why a microwave and propane bottle were supplied to the sports complex concessionaire. Interim City Manager Uri said he would ask Tom Gennette. Commissioner Lanoue asked what the copies for the fire department were. Larry Eubanks explained that it was two sided copies printed, along with the purchase of the paper. Mayor Hattan asked about the Altius Awards check of \$727.25, in which the description listed only a nameplate for Interim City Manager Uri. It was explained this was for three different invoices, which included sports medals. Commissioner Johnson asked what the HWS check was for. Ron Copple answered that it was for the airport taxiway. Commissioner Johnson asked why a badge emblem needed embroidered on police shirts, as it would not be an official document. Interim City Manager Uri promised to look into it. Commissioner Johnson asked about Van Diest. Ron Copple said that it was for weed killer.

Mayor Hattan moved to approve appropriation ordinance #13. Commissioner Johnson seconded. Motion carried.

### **PUBLIC COMMENTS**

There were no comments.

### **NEW BUSINESS:**

#### **AIRPORT FUELING FACILITIES CONTRACT**

#### **MID KANSAS COOPERATIVE ASSOC.**

Ron Copple said that the agreement with Mid Kansas Cooperative Association would allow the city to stop purchasing and storing fuel at the airport. Commissioner Hosie asked what our responsibility would be on the liability. Interim City Manager Uri said that Mid Kansas would carry its own insurance.

Commissioner Hosie moved to approve the airport fueling facilities contract. Commissioner Lanoue seconded. Motion carried unanimously.

#### **TIF REIMBURSEMENT REQUEST – MID KANSAS HOMES & MOVERS, LLC**

#### **TIF REIMBURSEMENT REQUEST – O'REILLY AUTO PARTS**

Kirk Lowell of CloudCorp presented both requests to the commission.

Commissioner Lanoue questioned the demolition of utility lines. Mid Kansas did the shut off of utilities. O'Reilly's did the demolition of the lines and taps from the ground. The total project cost is \$108,441. TIF revenue generated by these projects is \$158,306, for a positive difference of \$49,865. Mr. Lowell stated that after paying for these projects, there will still be \$278,936 left in the fund.

Mayor Hattan moved to approve the TIF reimbursement requests for Mid Kansas Homes & Movers, and O'Reilly Auto Parts. Commissioner Lanoue seconded. Motion carried unanimously.

**POLICE CAR BIDS**

**TABLED**

Interim Police Chief Bruce Johnson presented two bids, from Babe Houser Motor and Womack Sunshine Ford. Mayor Hattan inquired about the bid from Womack's. Mr. Johnson said that Ford does not have a police package for a front wheel drive car. Commissioner Hosie recommending tabling voting on these bids, as there had not been ample time to consider them.

Commissioner Hosie moved to table the police car bids until the next meeting. Commissioner Lanoue seconded. Motion carried unanimously.

**FIRE TRUCK BIDS**

**MVP**

Larry Eubanks presented the following bids to the commission:

MVP, York, Nebraska	KME Truck	\$320,500.00
Weis Fire, Salina, Kansas	E-One	\$335,808.00
MVP, York, Nebraska	KME Truck	\$337,997.00
Max Fire, Hays, Kansas	Rosenbauer	\$341,838.00

The fire department recommends MVP's bid of \$320,500. Mayor Hattan asked about the grant received for this truck. Mr. Eubanks said that the grant was approved for \$168,000 and the city would pay the remainder. Additional equipment can be added to the truck to make up the difference of the 50% match with the grant. There was discussion on the option to pre-pay 50% of the purchase price in order to receive a \$4908.00 discount. Interim City Manager Uri feels that this would be a risk, if the company were to go out of business before the truck was delivered.

Commissioner Hosie moved to accept the bid from MVP for \$320,500, acceptance contingent on state clearance of the contractor. Commissioner Johnson seconded. Motion carried unanimously.

It was decided that the pre-payment discount could be discussed at a later date; no decision was made at this time.

**RESOLUTIONS**

**RESOLUTION 2009-1843 SALE OF TEMPORARY NOTES**

**PASSED**

Interim City Manager Uri said this resolution authorizes the sale of temporary notes for the project at the treatment plant. Commissioner Lanoue asked if the local banks would bid this. Interim City Manager Uri said they would.

Mayor Hattan moved to approve resolution 2009-1843. Commissioner Lanoue seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Johnson, Hosie, and Lanoue.

Nay: None.

**MANAGER'S REPORT**

Interim City Manager Uri talked about the John Foster Memorial College Scholarship, which is awarded to sons or daughters of law enforcement officers. This year's recipient of \$3,000 is Amanda Strait, stepdaughter of Brad Swihart. The check will be presented July 23 at City Hall.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Hosie asked that the commission consider renaming a portion of Willow Street for Mr. Householder. He also asked Larry Eubanks for a total number of fires over the 4<sup>th</sup> of July holiday for the last five or ten years.

Commissioner Lanoue asked that changes to the agenda be kept to a minimum, as many items need reviewing and getting information at such a late date does not allow for that.

Mayor Hattan asked about the audit. Amber Farha said that the auditor is supposed to be here next week to finalize it. The paperwork distributed tonight is a preliminary audit.

**STAFF COMMENTS**

Ron Copple presented a list of streets done since 1999, and alleys since 1996.

Larry Eubanks said that the Kansas Board of EMS had done its yearly inspection, and the ambulance is licensed to operate for another year.

**EXECUTIVE SESSION – NON-ELECTED PERSONNEL**

**HELD**

Mayor Hattan moved that the commission recess into executive session for five (5) minutes for non-elected personnel. Inviting: Interim City Manager Uri. Commissioner Johnson seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Johnson, Hosie, and Lanoue.

Nay: None.

Time: 6:23 p.m.

The commission reconvened at 6:28 p.m.

Mayor Hattan announced there was no binding action taken.

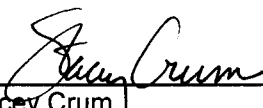
**ADJOURN**

A special meeting was scheduled for July 27 to continue the budget discussion. Mayor Hattan suggested adjourning to that date, so that special meeting paperwork would not have to be distributed before then. It was decided to also schedule July 29 for budget planning as well.

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 until July 27. Commissioner Lanoue seconded. Motion carried unanimously.

(Seal)

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



**MINUTES OF THE SPECIAL CALL COMMISSION MEETING HELD JULY 27, 2009**

The governing body, having adjourned the July 15, 2009 meeting to July 27, 2009, at 7:00 p.m., convened at that date and time in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Jindra, Hosie, Johnson and Lanoue.

Absent: None.

Other Officers: Interim City Manager Uri and City Clerk Crum.

Mayor Hattan declared that a quorum was present and called the meeting back to order from the July 15, 2009, recess.

Visitors: Susan Cantine-Maxson, Wanda Phillips, Brenton Phillips, Jane Linden, Kenny Johnston, Chad Buckley, Luann Miller, Ron Deal, Ron Cailteux, Everett Miller, Paul Rimovsky, Amber Farha.

**NEW BUSINESS****2010 BUDGET DISCUSSION**

The commission received clarification of numbers in the budget report. There was discussion on capital improvement projects.

Susan Cantine-Maxson was on hand to request funds to replace the air conditioner at the Brown Grand Theatre.

**ENGINEER SELECTION PROCESS FOR NORTH DEVELOPMENT**

Interim City Manager Uri said that on August 12 there would be interviews conducted for the engineer for north development, with August 19 being the date the agreement will be awarded. Interim City Manager Uri invited the commission to take part in the process. Commissioner Johnson agreed to help on the project.

**INTERGOVERNMENTAL MEETING**

Interim City Manager Uri notified the commission that August 12 would be the next TIF meeting with members of the other governing bodies.

**ADJOURN**

It was agreed that the commission needed at least one more meeting to finish budget discussion. There being no further business, Mayor Hattan moved to adjourn the meeting until July 29 at 7:00 p.m. Commissioner Jindra seconded. Motion carried unanimously.

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

(Seal)

**MINUTES OF THE SPECIAL CALL COMMISSION MEETING HELD JULY 29, 2009**

The governing body, having adjourned the July 27, 2009 special meeting to July 29, 2009, at 7:00 p.m., convened at that date and time in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Jindra, Hosie, Johnson and Lanoue.

Absent: None.

Other Officers: Interim City Manager Uri, City Clerk Crum and finance director Farha.

Mayor Hattan declared that a quorum was present and called the meeting back to order from the July 27, 2009, recess.

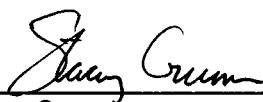
Visitors: None.

**2010 BUDGET DISCUSSION**

A general discussion of corrections and additions to the 2010 budget ensued.

**ADJOURN**

Commissioner Hosie moved to adjourn the meeting. Mayor Hattan seconded. Motion carried unanimously.

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

(Seal)

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 5, 2009**

The governing body met in regular session on August 5, 2009, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Jindra, Johnson, Lanoue, and Hosie.

Absent: None.

Other Officers: Interim City Manager Uri, Finance Director Farha and City Clerk Crum.

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

Visitors: Jessica LeDuc, Toby Nosker, Anthony Anderson Jr., Tony Anderson, Jim Stromberg, Kirk Lowell, Tina Barnett, Marcia Allen, Don Lanoue, Ron Deal, Patricia Gerhardt, Ron Copple, Don Dean, Bruce Johnson, Marvin Copple, Wade Carter, Larry Eubanks, Corinna Hood, Tom Tuggle, Ken Johnson, Neil Phillips.

Pastor Tina Barnett gave the invocation followed by the reciting of the Pledge of Allegiance.

Mayor Hattan asked for changes to the agenda. Commissioner Jindra asked for an executive session for non-elected personnel. Mayor Hattan suggested moving the Campbell & Johnson to follow the executive session.

**APPROVAL OF MINUTES**

**APPROVED**

Commissioner Lanoue requested that the minutes of the July 15 meeting be amended to reflect that the library had two separate requests of \$143,301 for the library appropriation and \$34,744 for library employee benefit funds.

Mayor Hattan moved to approve the minutes of the July 15, 2009, meeting as amended, the July 27, 2009, special meeting, and the July 29, 2009, special meeting. Commissioner Johnson seconded. Motion carried unanimously.

**APPROPRIATION ORDINANCE NO. #14**

**APPROVED**

Interim City Manager Uri said that several weeks ago Commissioner Johnson had asked about a check missing from the register. At the time it was thought that this check was destroyed during printing. It had recently been located and had been written to the Kansas Department of Revenue for \$3,468.22. This check, #50888, was a hand check in order to be received before the due date and had been overlooked being put into the accounts payable system. This was the reason for the two different totals on the financial reports included in the packet.

Commissioner Johnson asked what the Vantagepoint Transfer check was for. It was determined that it is an employee investment. Commissioner Johnson asked about the \$30.00 wage payments. Larry Eubanks said that according to the auditors, the first \$30.00 of reserve firefighter wages must be treated as an accounts payable, with the remainder of their paycheck going through payroll.

Commissioner Hosie moved to approve appropriation ordinance #14. Commissioner Lanoue seconded. Motion carried unanimously.

**PUBLIC COMMENTS**

Patricia Gerhardt asked for information on the Corps of Engineers and the dam project. Interim City Manager Uri said that he had received information from them that asked for contributions of approximately \$200,000 from the city for the next phase, which is projected to start next year and take two to three years.

**APPOINTMENTS**

**CORINNA HOOD**

Corinna Hood, a downtown business owner, has expressed interest in being part of a committee that reviews applications for downtown improvement grants.

Commissioner Hosie moved to approve Corinna Hood to the review committee. Commission Lanoue seconded. Motion carried unanimously.

**OLD BUSINESS:**

**ORSCHELN'S SEWER PROJECT BIDS**

**APAC KANSAS INC.**

The following bids were presented to the commission:

Esfeld Construction	Great Bend, Kansas	\$32,130.00
Nowak Construction Co.	Goddard, Kansas	\$65,424.00
APAC Kansas Inc.	Hutchinson, Kansas	\$39,423.00

Campbell & Johnson recommended APAC Kansas, the second lowest bidder, as the city had experience with them and they had superior references in comparison to the lowest bidder.

Commissioner Johnson moved to accept the bid from APAC Kansas Inc. for \$39,423.00. Commissioner Lanoue seconded. Motion carried unanimously.

**10<sup>TH</sup> & REPUBLICAN WATER LINE VALVE BIDS**

**MUNICIPAL PIPE SERVICES**

The following bids were presented to the commission:

Municipal Pipe Services	\$7,500.00
Water Products	\$7,200.00

Commissioner Lanoue questioned why this project was being outsourced rather than being done by the city crew. Interim City Manager Uri said that to his knowledge the city crew did not have the necessary equipment to do the job.

Mayor Hattan asked for a breakdown of the price of the valve and labor.

The recommendation was to accept the higher bid from Municipal Pipe Services, which staff felt had a better product and service.

Commissioner Hosie moved to accept the bid from Municipal Pipe Services for \$7,500.00. Commissioner Jindra seconded. Motion carried unanimously.

**POLICE CAR BIDS**

**BABE HOUSER MOTOR CO.**

Interim Police Chief Bruce Johnson presented the following bids to the commission:

Womack Sunshine Ford	\$16,500.00 with trade
Babe Houser Motor Co.	\$18,950.00 with trade

Commissioner Lanoue questioned why a new vehicle was being purchased for the canine unit, considering other vehicles had been damaged by the drug dog. The commission was in favor of considering the new vehicle for a patrol car, and rotating an older vehicle to the canine unit.

Mayor Hattan moved to accept the bid from Babe Houser Motor Co. for \$18,950.00 with trade, with the provision that the use of the vehicle be reviewed. Commissioner Lanoue seconded. Motion carried unanimously.

**ACCEPTANCE OF TEMPORARY NOTE BIDS**

The Finance Director reported that pursuant to notice heretofore duly given, bids for the purchase of \$474,000 principal amount of General Obligation Temporary Notes, Series A, 2009, dated August 15, 2009, of the City had been received. A tabulation of said bids is set forth as ***Exhibit A*** hereto.

Thereupon, the governing body reviewed and considered the bids and it was found and determined that the bid of United Bank & Trust was the best bid for the Notes, a copy of which is attached hereto as ***Exhibit B***.

Mayor Hattan moved that said bid be accepted, selling the Notes to the best bidder on the basis of said bid. The motion was seconded by Commissioner Johnson. Said motion was carried by a vote of the governing body with the vote being as follows:

Yea: Hattan, Jindra, Johnson, Hosie, Lanoue.

Nay: None.

**AUTHORIZE ISSUANCE OF TEMPORARY NOTES – RES. 2009-1845**

**PASSED**

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF \$474,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION TEMPORARY NOTES, SERIES A, 2009, OF THE CITY OF CONCORDIA, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX, IF NECESSARY, FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID NOTES AS THEY BECOME DUE; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.**

Thereupon, Mayor Hattan 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 governing body, the vote being as follows:

Yea: Hattan, Jindra, Johnson, Hosie, Lanoue.

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. 2009-1845 and was signed by the Mayor and attested by the Clerk.

**SCHEDULE BUDGET PUBLIC HEARING**

The plan is to have a public hearing for the next meeting on the budget, with the notice of budget hearing to be published this week. Amber Farha presented one change, which is to make the refundable deposits a liability.

Mayor Hattan moved to schedule the budget hearing for August 19 at 5:30 p.m. Commissioner Lanoue seconded. Motion carried unanimously.

**DANGEROUS STRUCTURE AT 435 E. 1<sup>ST</sup> – RES. 2009-1846****PASSED**

In June a notice was sent to the property owners stating that tonight there would be a public hearing for 435 E. 1st. The owners now have until September 5 to begin the demolition themselves, and if not done, the city will proceed.

Commissioner Johnson moved to approve resolution 2009-1846. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

**DEMOLITION PROJECTS – 102 E. 5<sup>TH</sup> ST. & 426 E. 16<sup>TH</sup> ST.**

102 E. 5<sup>th</sup> St. is also a TIF project, and the costs incurred on this project could be included in the TIF funding.

Mayor Hattan moved to accept the demolition projects at 102 E. 5<sup>th</sup> St. and 426 E. 16<sup>th</sup> St. Commissioner Lanoue seconded. Motion carried unanimously.

**NEW BUSINESS:****PRESENTATION BY THE AUDITOR**

Neil Phillips of Jarred, Gilmore and Phillips presented the audit and fielded questions from the commissioners. Mr. Phillips presented a management letter containing suggestions for internal audit controls.

Commissioner Johnson moved to accept the audit as presented. Commissioner Lanoue seconded. Motion carried unanimously.

**2010 BUDGET APPROPRIATION REQUEST – CLOUDCORP FEE-FOR-SERVICE AGREEMENT**

Kirk Lowell told the commission that the request of \$50,000 was the same as last year.

Mayor Hattan moved to approve the CloudCorp request of \$50,000 for 2010. Commissioner Johnson seconded. Motion carried unanimously.

**CMB LICENSE****GAMBINO'S PIZZA**

There was no discussion.

Mayor Hattan moved to approve the CMB license for Gambino's Pizza. Commissioner Lanoue seconded. Motion carried unanimously.

**EXECUTIVE SESSION – DISCUSSION OF CONFIDENTIAL BUSINESS INFORMATION HELD**

Mayor Hattan moved that the commission recess into executive session for fifteen (15) minutes for discussion of confidential business information. Inviting: Interim City Manager Uri and Kirk Lowell. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 7:35 p.m.

The commission reconvened at 7:50 p.m.

Mayor Hattan announced there was no binding action taken.

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

Commissioner Jindra moved that the commission recess into executive session for ten (10) minutes for non-elected personnel. Mayor Hattan seconded. Motion carried by the following vote:

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

Nay: None.

Time: 7:51 p.m.

The commission reconvened at 8:01 p.m.

Mayor Hattan announced there was no binding action taken.

#### **CAMPBELL & JOHNSON CONSULTING CONTRACT**

#### **TABLED**

The staff recommended a contract with Campbell & Johnson to oversee engineering projects of the north development. Interim City Manager Uri said that there are no development agreements signed as of yet, so he recommended tabling the consulting contract until that time.

Mayor Hattan moved to table the Campbell & Johnson consulting contract. Commissioner Johnson seconded. Motion carried unanimously.

#### **MANAGER'S REPORT**

Interim City Manager Uri said that the owner of the West Side Inn building is cleaning up the property, including new paint, windows, and door, and suggested that the city might reimburse the owner for half the cost, as with others accepting funds for downtown improvement projects. Mayor Hattan asked to see an application and the amount requested before proceeding.

Interim City Manager Uri reminded the commission of the intergovernmental meeting next week, with a presentation by the hospital as the main topic of discussion.

Interim City Manager Uri said that the college is asking for a booster system rather than a water tower to accommodate their immediate needs. The total price is approximately \$484,000, and could be used as a TIF project. He has suggested to the college that they contribute \$100,000 towards the project, or roughly 20%. No answer has been received to date.

#### **MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson asked about the search for a new police chief. He said that Russell had included the mayor and general public in their decision.

Commissioner Lanoue thanked Amber Farha for her hard work on the budget and the audit.

Mayor Hattan echoed Commissioner Lanoue's sentiments. He inquired about the recent economic development search, and would like to hear from Steve Womack and Dick Lowrey before continuing the advertising.

#### **STAFF COMMENTS**

Larry Eubanks said he wanted to proceed with the fire truck purchase, and needed an answer on how to handle payment. MVP's winning bid stipulated that if half the money was remitted in advance, the city could save \$4,908.00. The commission agreed this was a gamble with the current economy.

Commissioner Johnson moved to pay for the fire truck upon delivery. Mayor Hattan seconded. Motion carried unanimously.

Interim City Manager Uri said that there had been a recent request for revolving loan funds by a reserve firefighter and his spouse. Current policy states that no city employee or spouse may receive funds. Commissioner Hosie said that he would like to see the policy changed as this is not a full time city employee. Interim City Manager Uri said he would provide the policy change at the next meeting.

Ron Copple said that he had talked to Joe Fakler concerning the gazebo gift by the Boy Scouts, and Mr. Fakler was in favor of placing the gazebo at the original suggested location of the current Girl Scouts building. Once the location is approved, Mr. Copple can submit paperwork to the state for possible CDBG funds. The consensus is to continue on with the original location.

Commissioner Johnson asked about the progress on the dais. Discussion will be continued on the subject at a later study session.

#### **ADJOURN**

There being no further business, Commissioner Johnson moved to adjourn the meeting until the intergovernmental meeting of August 12. Commissioner Hosie seconded. Motion carried unanimously.

(Seal)

  
 Stacey Crum  
 City Clerk



August 3, 2009

Honorable Mayor and City Commission  
City of Concordia, Kansas

We have audited the financial statements of City of Concordia, Kansas for the year ended December 31, 2008. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated December 30, 2008. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

*Qualitative Aspects of Accounting Practices*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by City of Concordia, Kansas are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the year ending December 31, 2008. We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

*Difficulties Encountered in Performing the Audit*

We encountered significant difficulties in dealing with management in performing and completing our audit due to turnover in the executive and fiscal positions prior to arrival for fieldwork.

*Corrected and Uncorrected Misstatements*

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. The attached listing of material misstatements detected as a result of audit procedures were corrected by management.

*Disagreements with Management*

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

*Management Representations*

We have requested certain representations from management that are included in the management representation letter dated August 3, 2009.

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CERTIFIED PUBLIC ACCOUNTANTS

412 W MAIN, PO BOX 97  
NEODESHEA, KANSAS 66757  
(620) 325-3430

1815 S SANTA FE, PO BOX 779  
CHANUTE, KANSAS 66720  
(620) 431-6342

16 W JACKSON, PO BOX 768  
IOLA, KANSAS 66749  
(620) 365-3125

[www.jgppa.com](http://www.jgppa.com)

*Management Consultations with Other Independent Accountants*

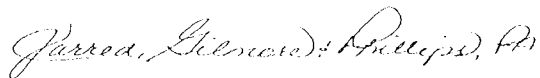
In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

*Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the information of management, others within the City, and the City Commission and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,



JARRED, GILMORE & PHILLIPS, PA  
Certified Public Accountants



✓	Fund	Account	Debit		Credit	
		(1)				
	General	Ad Valorem Property Tax			4,248.51	
	General	Delinquent Tax	4,748.61			
	General	16-20M Truck Tax			486.45	
	Bond and Interest	Ad Valorem Property Tax			13.65	
	Library Fund	Ad Valorem Property Tax	911.74			
	Library Fund	Delinquent Tax	620.60			
	Library Fund	16-20M Truck Tax			14.71	
	Library Fund	Commercial Equipment			1,517.63	
	Industrial Development	Ad Valorem Property Tax			154.59	
	Industrial Development	Delinquent Tax	214.54			
	Industrial Development	16-20M Truck Tax			5.12	
	Industrial Development	Commercial Equipment			54.83	
	Library Employee Ben	Ad Valorem Property Tax	497.90			
	Library Employee Ben	Delinquent Tax	192.15			
	Library Employee Ben	16-20M Truck Tax			4.31	
	Library Employee Ben	Commercial Equipment			685.74	
	Bond and Interest	Ad Valorem Property Tax	18,167.34			
	Bond and Interest	Delinquent Tax	857.39			
	Bond and Interest	16-20M Truck Tax			20.30	
	Bond and Interest	Commercial Equipment			13,409.04	
	Bond and Interest	Special Assessments	4,933.67			
	Capital Improvements Project	Special Assessments			10,528.97	
	Water & Sewer	Special Assessments			0.09	
	Reclass county payments based on confirmation sent from county clerk.					
		(2)				
	General Fund	Liquor Tax	5,038.87			
	Special Parks & Rec	Liquor Tax			5,038.87	
	Reclass liquor tax payments based on 1/2 general 1/2 sp parks.					
		(3)				
	General Fund	Accounts receivable			56,568.94	
	General Fund	lease	250.00			
	General Fund	local dispatch	40,000.00			
	General Fund	Permits	60.00			
	General Fund	Public works service fees	3,295.00			
	General Fund	Hanger Rent	902.00			
	General Fund	Fines, Forfeitures and Penalties	12,061.94			
	Water and Sewer	Accounts receivable			3,028.38	
	Water and Sewer	Public works service fees	3,028.38			
	Cont. Econ Dev Fund	Accounts receivable			16,635.23	
	Cont. Econ Dev Fund	Federal grants	16,635.23			
	Remove accounts receivable for Kansas cash basis laws					

City of Concordia  
2008 proposed audit adjustments

✓	Fund	Account	Debit	Credit
		(4)		
	General Fund	United Bank Cd	3,752.19	
	General Fund	Citizens Bank Cd	3,963.87	
	General Fund	Interest Income		7,716.06
	Record interest income added to cd instead of being paid to City			
		(5)		
	General Fund	Cash in Bank		28,636.43
	General Fund	Wages Payable	28,636.43	
	Unrecorded payroll tax eft from December 2008			
		(6)		
	Fire Safety	Fund Balance		491.45
	Fire Safety	Contractual Services	491.45	
	Sports Complex	Fund Balance		1,860.63
	Sports Complex	Contractual Services	1,860.63	
	Fat Ord of Police	Cash in Bank	68.23	
	Fat Ord of Police	Donations		68.23
	Salvation Army	Fund Balance		440.00
	Salvation Army	Contractual Services	440.00	
	Record activity for three agency fund checking accounts not on City's ledgers			
		(7)		
	Small Animal trust	Interest Income		859.45
	General	Interest Income	859.45	
	Cemetery Trust	Interest Income		1,372.50
	General	Interest Income	1,372.50	
	Reclass interest income for specific listed CD's			
		(8)		
	General	Cash in Bank	74,975.33	
	General	Fund Balance		74,975.33
	Double recorded payroll for December 2007			
		(9)		
	General	Cash in Bank	141.04	
	General	Interest Income		141.04
	Trivial adjustment to match general ledger to cash reconciliations			
		(10)		
	Airport Fund	Cash in Bank	26,024.17	
	Airport Fund	Interest Income		95.77
	Airport Fund	Donations	26,701.24	
	Airport Fund	Fund Balance		52,629.64
	Record cash in escrow account and activity on City's ledgers			

City of Concord  
2008 proposed audit adjustments

✓	Fund	Account	Debit	Credit
		(11)		
	Water & Sewer Fund	Meter Deposits Revenue	16,080.00	
	Water & Sewer Fund	Meter Deposits Liability		16,080.00
		Move deposits held in trust to liability account		
		(12)		
	General-401	Personnel Services	2,384.22	
	General-402	Personnel Services	762.33	
	General-421	Personnel Services	16,624.60	
	General-422	Personnel Services	6,203.97	
	General-425	Personnel Services	1,893.90	
	General-426	Personnel Services	1,124.71	
	General-428	Personnel Services	1,823.34	
	General-441	Personnel Services	8,449.04	
	General-481	Personnel Services	3,198.17	
	General-482	Personnel Services	910.10	
	General-522	Personnel Services	1,161.23	
	General-525	Personnel Services	951.40	
	General	Accrued Payroll		45,487.01
	Water and Sewer-461	Personnel Services	7,142.15	
	Water and Sewer-462	Personnel Services	1,514.94	
	Water and Sewer-463	Personnel Services	2,088.96	
	Water and Sewer-464	Personnel Services	3,051.19	
	Water and Sewer-465	Personnel Services	829.06	
	Water and Sewer	Accrued Payroll		14,626.30
		Move 8 of 10 days of 01/02/2009 payroll back to 2008 budget		
		(13)		
	General-401	Personnel Services		2,603.98
	General-402	Personnel Services		1,009.90
	General-421	Personnel Services		12,018.63
	General-422	Personnel Services		4,607.25
	General-424	Personnel Services		1,381.27
	General-425	Personnel Services		829.21
	General-428	Personnel Services		1,368.53
	General-441	Personnel Services		5,577.51
	General-481	Personnel Services		1,655.01
	General-482	Personnel Services		847.45
	General-522	Personnel Services		1,501.63
	General-525	Personnel Services		100.37
	General	Fund Balance	33,500.74	
	Water and Sewer-461	Personnel Services		6,088.06
	Water and Sewer-462	Personnel Services		767.24
	Water and Sewer-463	Personnel Services		1,555.46
	Water and Sewer-464	Personnel Services		2,186.14
	Water and Sewer-465	Personnel Services		820.45
	Water and Sewer	Fund Balance	11,417.35	
		Move 6 of 10 days of 01/04/2008 payroll back to 2007 budget		
		(14)		
	General-401	Transfers	15.00	
	General-402	Other Misc revenue		15.00
		Move Miscellaneous income from transfers line.		

City of Concordia  
2008 proposed audit adjustments

✓	Fund	Account	Debit	Credit
	<b>(15) - audit only, do not book on cities ledgers</b>			
	General Fund	Cash in Bank	29,782.95	
	Special Highway Fund	Cash in Bank	1,940.05	
	D.A.R.E.	Cash in Bank	120.00	
	Emergency Telephone Sys Fund	Cash in Bank	1,579.34	
	911 Wireless	Cash in Bank	175.90	
	Fire Dept Grants	Cash in Bank	1,111.00	
	Capital Imp Project Fund	Cash in Bank	184.60	
	Employee Health Care Fund	Cash in Bank	25,807.16	
	Central Garage Fund	Cash in Bank	579.11	
	Water/Sewer Operating Fund	Cash in Bank	74,738.28	
	City of Concordia Memorial Fun	Cash in Bank	1,359.00	
	Cloud County Landfill	Cash in Bank	20,391.03	
	General Fund	Accounts Payable		29,782.95
	Special Highway Fund	Accounts Payable		1,940.05
	D.A.R.E.	Accounts Payable		120.00
	Emergency Telephone Sys Fund	Accounts Payable		1,579.34
	911 Wireless	Accounts Payable		175.90
	Fire Dept Grants	Accounts Payable		1,111.00
	Capital Imp Project Fund	Accounts Payable		184.60
	Employee Health Care Fund	Accounts Payable		25,807.16
	Central Garage Fund	Accounts Payable		579.11
	Water/Sewer Operating Fund	Accounts Payable		74,738.28
	City of Concordia Memorial Fun	Accounts Payable		1,359.00
	Cloud County Landfill	Accounts Payable		20,391.03
	Reclass backdated checks for audit puposes only			
		Control Totals	560,596.71	560,596.71
				-



August 3, 2009

## MANAGEMENT LETTER

The Honorable Mayor and City Commission  
City of Concordia, Kansas

In planning and performing our audit of the financial statements of the City of Concordia, Kansas, as of and for the year ended December 31, 2008, in accordance with auditing standards generally accepted in the United States of America, we considered the City of Concordia's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. However, as discussed below, we identified certain deficiencies in internal control that we consider to be material weakness.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or a combination of control deficiencies, that adversely affects the City's ability to initiate, authorize, record, process, or report financial data reliably in accordance with Kansas cash basis and budget laws basis of accounting such that there is more than a remote likelihood that a misstatement of the City's financial statements that is more than inconsequential will not be prevented or detected by the City's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the entity's internal control. We believe that the following deficiencies constitute material weaknesses.

### Preparation of Financial Statements

In prior years, the auditor was considered the compensating control for preparation of the City's financial statements including footnotes. However, professional standards do not allow the auditor to be a compensating internal control for the City. The new standard states the client must be able to accept responsibility and be able to identify a material misstatement when handed the financial statements, including footnotes. This would also include knowing if a required footnote disclosure was missing or not correctly stated. Presently, the City does not have ability to process and prepare the required financial statements, including footnotes, however, with adequate training on the basics, we believe the City could obtain the knowledge required to satisfy this requirement. We recommend the City start exploring the possibility of training for staff in the area of basic financial statement preparation. The AICPA includes many useful tools including training courses on financial statement preparation.

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### CERTIFIED PUBLIC ACCOUNTANTS

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#### Bank Reconciliations

Upon being contracted to complete the audit for the year ended December 31, 2008, it was noted the reason for the delay in the audit process was because the bank reconciliations were not complete and up to date. The City had started the bank reconciliation process by reviewing cleared checks, however, total reconciled cash was not tied out to the general ledger cash account balances. Not reconciling the bank accounts on a monthly basis means errors or other problems might not be recognized and resolved on a timely basis. This deficiency in the design and operation of the internal controls in this area could adversely affect the recording, processing, summarization, and reporting of financial data if actual cash bank balances are not reconciled to the cash balances in the general ledger at the end of each month and therefore, is considered to be a material weakness. We would like to point out the timely preparation of complete and accurate bank reconciliations is a key to maintaining adequate control over both cash receipts and cash disbursements. We recommend the City's general ledger be adjusted to match with the audit at December 31, 2008, and proceed forward in implementing this recommendation on a monthly basis.

#### Payroll Taxes

As a result of bank reconciliations not being reconciled, a breakdown in internal controls occurred with the payment of payroll withholdings. Payroll withholdings for a majority of 2008 were not paid timely resulting in substantial penalties to the City. As an additional recommendation to the bank reconciliation process above, we recommend that the reconciliations be signed or initialed as indication of review and approval after completed.

#### Other Matters

As a result of planning and performing the audit, we noted certain other matters that came to our attention that are not reflected in the auditors' report or the financial statements which we feel worthy of consideration by management. These matters are presented below:

#### Library Bank Reconciliations

Although we were advised that all bank reconciliations are approved by a responsible employee, no indication of such review was evident on the reconciliations selected for review. We recommend that the reconciliations be signed or initialed as an indication of approval.

#### Fraud Risk Policies and Procedures

Recently issued accounting and audit standards recommend management and City Commission to develop a fraud risk assessment and monitoring program, including identifying fraud risk and taking appropriate action to reduce or eliminate the risks. The risk assessment should include all levels of the City to ensure management and Commissioners are involved in the oversight of the City's fraud risk management program. We recommend the City Commission and management explore the risk of fraud through the creation of a Fraud Risk committee. This committee should assess current policies and procedures for the risk of fraud and make recommended changes to the full City Commission and management as to mitigate identified fraud risk factors.

#### Purchase Cards and Charge Accounts

During our testing of City purchase cards and charge accounts, we identified some charges that did not contain adequate supporting documentation. We would like to point out that all disbursements of the City should be supported by a written claim against the City and the City purchase cards and accounts should not be used for personal use. Unsupported disbursements could be cause for unallowable expenses under current Kansas statutes. While the unsupported charges appeared to be for legitimate City expenses, the City is approving and paying bills without all the required supporting documentation necessary. We recommend a policy be put into place that requires all support be turned into the City fiscal staff and

prohibits the personal use of City purchase cards and charge accounts in all situations. If it is inadvertently used for personal use, the policy should include provisions that include reimbursement of personal expenses within a certain time period. Charges on a purchase card or on a charge account should not be paid without proper supporting documentation.

#### Journal Entry Procedures

We recommend that a policy be established for approval of journal entries. Because the journal entry represents a means to override other controls, we feel it is especially important to have close monitoring. We suggest that a specific form be used for journal entries and that form have a designated area for approval by someone other than the preparer. This will involve at least two people in the process of posting journal entries and improve internal controls in this area.

#### Payroll Reports

It was noted during the audit that the quarterly Form 941 gross wages were less than the gross wages reported on Form W-3 by \$362.02. While the amount is insignificant, these amounts should be in agreement. The Internal Revenue Service and the Social Security Administration will try to tie these two amounts to each other, which will result in a notice from the Federal government and may include penalty and interest assessments. We recommend you reconcile the forms and file amended reports as necessary. Then, in future years, a reconciliation should be completed before the final Form W-3 is filed.

#### Accounts Payable

K.S.A. 10-1117 requires the City to maintain a record of each fund's indebtedness. This means that the City's expenses in each fund need to reflect accounts payable and all accruals. The City's records only reflect cash disbursed and some payables, however, they do not include in expenses any accruals for payroll. As a result, the City could inadvertently overspend cash and budget available. We recommend the City take the steps necessary to ensure all expenses are reported and approved on Kansas statutory basis method of accounting.

#### Municipal Court

During our testing of municipal court files, it was noted much improvement is needed in the area of record keeping. Orderly filing should be maintained to ensure proper control over all supporting documentation of all court decisions, such as dismissals and payments on account.

We wish to express our appreciation to the Finance Director, the City Clerk, and the Interim City Manager for the courtesy and assistance we received during this year's audit.

This information is intended solely for the use of the Mayor, City Commission, and management of the City of Concordia, Kansas and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,



JARRED, GILMORE & PHILLIPS, PA  
Certified Public Accountants

SUMMARY OF BIDS RECEIVED

ISSUE

ISSUER

SALE DATE

GOOD FAITH \$

\$474,000 TEMPORARY NOTES SERIES A, 2009

CITY OF CONCORDIA, KANSAS

FRIDAY, JULY 24, 2009 @ 11:00 A.M., C.D.T

N/A

BIDDERS		UNITED BANK & TRUST		PEOPLES EXCHANGE BANK	
MATURITY DATE	PRINCIPAL AMOUNT	INTEREST RATES	INTEREST RATES	INTEREST RATES	INTEREST RATES
8/15/2010	\$ 474,000	3.00%	3.45%		
Total Interest Cost on Maturity at Rate specified		\$ 14,064.16	\$ 16,353.00		
Less: Premium (if any)		\$ -	\$ -		
Net Interest Cost to City		\$ 14,064.16	\$ 16,353.00		
Average Annual Net Interest Rate		3.00%	3.45%		
Bidder elects Notes in "book-entry-only" form		X			



EXHIBIT B

RECEIPT FOR PURCHASE PRICE

\$474,000  
CITY OF CONCORDIA, KANSAS  
GENERAL OBLIGATION TEMPORARY NOTES  
SERIES A, 2009  
DATED AUGUST 15, 2009

The undersigned Clerk of the City of Concordia, Kansas, this day received from United Bank & Trust, Marysville, Kansas, the original purchaser of the above-described notes (the "Notes"), the full purchase price of the Notes, said purchase price and net amount received by the Issuer being calculated as follows:

Principal Amount.....	\$474,000.00
Plus Accrued Interest.....	<u>158.00</u>
<i>Total Purchase Price and</i>	
<i>Net Amount Received.....</i>	<u>\$474,158.00</u>

DATED: August 19, 2009.

CITY OF CONCORDIA, KANSAS

By Steve Crum  
Clerk

## MINUTES OF THE SPECIAL INTERGOVERNMENTAL MEETING HELD AUGUST 12, 2009

The governing body met in adjourned session on August 12, 2009, at 7:00 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Jindra, Johnson, Lanoue, and Hosie.

Absent: None.

Other Officers: Interim City Manager Uri.

Also in attendance were administrators and members of the governing bodies of Cloud County Community College, the Cloud County Board of Commissioners, Cloud County Health Center, and USD 333.

A presentation was made concerning the current status of proposals for a new hospital. There was a general discussion of matters of interest to the community. No action was taken.

(Seal)

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

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 19, 2009**

The governing body met in regular session on August 19, 2009, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Jindra, Johnson, Lanoue, and Hosie.

Absent: None.

Other Officers: Interim City Manager Uri, Finance Director Farha and City Clerk Crum.

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

Visitors: Jessica LeDuc, Toby Nosker, Bruce Johnson, Bruno Rehbein, Robert Steimel, Kirk Lowell, Ron Copple, Jean Rosemarynoski, Anna Broxterman, Sara Hicks, Ron Deal, Janet Eubanks, Deb Ohlde, Tina Barnett, Chad Buckley, Marvin Copple, Don Lanoue, Larry Eubanks, Ken Johnson, Alan Corbeil, Julie Corbeil, Harley Adams, Johnny Adams, Bob Maxson.

Pastor Tina Barnett gave the invocation followed by the reciting of the Pledge of Allegiance.

Mayor Hattan asked for changes to the agenda. Interim City Manager Uri asked to remove the KDOT right-of-way at Hwy. 81 study session item.

**APPROVAL OF MINUTES****APPROVED**

Commissioner Lanoue requested more detailed discussion on the audit. She felt that in the coming years, the minutes would disclose pertinent information of the auditor's discussion. Commissioner Johnson suggested attaching the auditor's management letter. It was agreed this would be done.

Mayor Hattan took the suggestion as a motion, and seconded approving the minutes of the August 5, 2009, meeting, along with attaching the management letter. Motion carried unanimously.

**APPROPRIATION ORDINANCE NO. #15****APPROVED**

Commissioner Johnson questioned why Interim City Manager Uri was paid for the week he was gone. Interim City Manager Uri said that his contract states he can set his own hours, and that his extra hours for commission meetings more than make up for the week he was gone. Commissioner Lanoue asked about the vehicle towed to the police department. Interim Police Chief Bruce Johnson explained that the vehicle did not belong to the city. Commissioner Lanoue asked if purchase cards discussion could be put on the next study session. Interim City Manager Uri said it could. Commissioner Johnson said he'd like to see Interim City Manager Uri's check removed from the check register. Mayor Hattan said the check could be issued but discussed at the next meeting.

Commissioner Johnson moved to approve ordinance #15 except the check for Interim City Manager Uri. Motion died for lack of a second. Mayor Hattan then moved to approve appropriation ordinance #15 and to review the city manager's contract at the next meeting. Commissioner Lanoue seconded. Motion carried 4-1, with Commissioner Johnson opposing.

**PUBLIC COMMENTS**

There were no comments.

**PUBLIC HEARING****CDBG APPLICATION – BROADWAY SEWER**

Deb Ohlde, Assistant Director, North Central Regional Planning Commission, asked for public comments on the CDBG (community block development grant) Broadway sewer project. There were none.

Mayor Hattan moved to close the public hearing. Commission Johnson seconded. Motion carried unanimously.

Ms. Ohlde discussed several items in the packet. Resolution 2009-1847 deals with the actual total amount of match, or 412,298.00, the city is contributing to the project. It also authorizes the mayor to sign all documents not requiring commission approval.

Commissioner Hosie moved to approve resolution 2009-1847. Mayor Hattan seconded. Motion carried by the following vote:

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

Nay: None.

Resolution 2009-1848 is the city's pledge of ongoing commitment to the operation maintenance costs to the improvements in the project, which is estimated at \$2,800.00 annually.

Commissioner Johnson moved to approve resolution 2009-1848. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

The residential anti-displacement and relocation assistance plan is a required document stating grant funds won't be used for housing demolition that would decreased the amount of low income housing in the community.

Mayor Hattan moved to adopt the residential anti-displacement and relocation assistance plan. Commissioner Lanoue seconded. Motion carried unanimously.

To receive a block grant, you must have a certified grant administrator. The contract is with the North Central Regional Planning Commission.

Commissioner Johnson moved to accept the administrative agreement. Commissioner Lanoue seconded. Motion carried unanimously.

### **BUDGET**

Amber Farha told the commission that the mill levy decreased just slightly over the previous year. Mayor Hattan listed upcoming and ongoing projects the city is pursuing, as scheduled in the budget. Commissioner Johnson felt the mill levy could have been lowered more. Interim City Manager Uri explained that the reason for this is to provide for reserves to account for the possibility of current positive sales tax numbers decreasing later in the year.

Mayor Hattan moved to close the public hearing. Commissioner Lanoue seconded. Motion carried unanimously.

### **OLD BUSINESS:**

#### **AIRPORT ESCROW FUND**

Bob Steimel was on hand representing the Blosser Foundation. In 2006 and 2007 the Blossers gave two separate gifts to the city for the remodeling of the airport office and lounge, with the city providing matching funds. Approximately \$26,000 remained to do phase III, at which point the city agreed that there were no matching funds for the project at that time. The funds have been sitting in escrow at United Bank, and the Blosser Foundation would like the money returned in order to distribute these funds to another non-profit organization.

There was discussion on whether the Blossers would consider the money to be used to repair the hangar roof. Mr. Steimel said he could only make the request.

Mayor Hattan moved to release the Blosser funds and simultaneously make the request for the foundation to help fund the repair of the hangar roof. Commissioner Lanoue seconded. Motion carried unanimously.

#### **CCCC WATER PROJECT RECOMMENDATION**

It has been recommended to the city and the college to put in a series of booster pumps to correct the college's water pressure issue. Interim City Manager Uri has suggested to the college that they contribute \$100,000 towards the project, with the city funding the remainder as a TIF project.

Commissioner Hosie moved to authorize the city manager to proceed with a development agreement with the college, following the engineer's recommendation of the pressure pumps, with the city financing their share as a TIF project, and to request \$100,000 or 20% of the portion of the project going to CCCC. Commissioner Lanoue seconded. Motion carried unanimously.

### **CORPS OF ENGINEERS**

A letter of intent for the next phase of the dam project has been drafted to the Corps of Engineers. Interim City Manager Uri has asked the Corps for the following:

- Estimate of the maximum dollar amount the city should be prepared to contribute
- Copies of the studies generated should the city not move forward with the Corps on this project
- What year they perceive the project being completed
- Where regular meetings of the study coordination team will take place, and how often
- Does the estimate of \$1.5-\$2 million for cost of design and construction provide for approximately 10 acres of land along College Drive to be available for commercial development

Commissioner Johnson moved to approve the letter of intent. Commissioner Lanoue seconded. Motion carried unanimously.

**NEW BUSINESS:****BUDGET ADOPTION**

There was no discussion.

Commissioner Jindra moved to adopt the 2010 budget. Mayor Hattan seconded. Motion carried unanimously.

Commissioner Lanoue asked if the budget should be adopted by ordinance. Interim City Manager Uri said that only needed to happen if the mill levy was being raised.

**REVOLVING LOAN FUND PLAN AMENDMENT**

The amendment came about because a current reserve firefighter's spouse has requested money from the revolving loan fund and the current policy states that no city employee or spouse may obtain funds.

Commissioner Jindra moved to approve the revolving loan fund plan amendment. Mayor Hattan seconded. Motion carried unanimously.

**ORDINANCES****ORDINANCE 2009-2978 STANDARD TRAFFIC ORDINANCE****PASSED**

The following ordinances are yearly events, for regulating traffic and public offenses.

Commissioner Hosie moved to approved ordinance 2009-2978. Commissioner Johnson seconded. Motion carried by the following vote:

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

Nay: None.

**ORDINANCE 2009-2979 Uniform Public Offense Code****PASSED**

Commissioner Hosie moved to approved ordinance 2009-2979. Mayor Hattan seconded. Motion carried by the following vote:

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

Nay: None.

**MANAGER'S REPORT**

Interim City Manager Uri touched on the auditor's management letter and addressed how staff is working to correct the various items.

Interim City Manager Uri had a letter from the League of Kansas Municipalities asking for two voting members and two alternates. Mayor Hattan nominated Commissioners Hosie & Lanoue as delegates, and Ron Copple as an alternate. Commissioner Johnson seconded. Motion carried unanimously.

Interim City Manager Uri discussed the hiring process for the new police chief, and promised a report on the subject by the next meeting.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson said the cemetery needed mowed. He requested looking into a stoplight at 11<sup>th</sup> & Broadway. Commissioner Johnson inquired about the check from the last appropriations that had not been on the check register, was this check approved? Interim City Manager Uri said he would look into it.

Commissioner Lanoue said that since the last meeting had been adjourned to the intergovernmental meeting on the 12<sup>th</sup>, she felt there should be minutes for that meeting. Interim City Manager Uri said they would be provided.

Mayor Hattan thanked the staff for the work on the budget.

**STAFF COMMENTS**

Ron Copple said that weed eating is now being done at the cemetery. Concerning the gazebo, he said that Joe Fakler had contacted him and wanted a different location for the gazebo at the park. There will be sidewalk and electricity. The slurry seal project is now complete. On the 5<sup>th</sup> Street stimulus funds project, the state will be getting bids, and hopefully the work will begin in March.

Interim City Manager Uri told the commission that the new website is up, at [www.concordiaaks.org](http://www.concordiaaks.org).

**EXECUTIVE SESSION – DISCUSSION OF CONFIDENTIAL BUSINESS INFORMATION (1) HELD**

Mayor Hattan moved that the commission recess into executive session for fifteen (15) minutes for discussion of confidential business information. Inviting: Interim City Manager. Harley Adams and Johnny Adams. Commissioner Jindra seconded. Motion carried by the following vote:

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

Nay: None.

Time: 7:03 p.m.

The commission reconvened at 7:18 p.m.

Mayor Hattan announced there was no binding action taken.

**EXECUTIVE SESSION – DISCUSSION OF CONFIDENTIAL BUSINESS INFORMATION (1) HELD**

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for discussion of confidential business information. Inviting: Interim City Manager. Harley Adams and Johnny Adams. Commissioner Johnson seconded. Motion carried by the following vote:

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

Nay: None.

Time: 7:20 p.m.

The commission reconvened at 7:30 p.m.

Mayor Hattan announced there was no binding action taken.

**EXECUTIVE SESSION – NON-ELECTED PERSONNEL (2)****HELD**

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for non-elected personnel. Commissioner Johnson seconded. Motion carried by the following vote:

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

Nay: None.

Time: 7:30 p.m.

The commission reconvened at 7:40 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, Commissioner Jindra moved to adjourn the meeting. Commissioner Johnson seconded. Motion carried unanimously.

(Seal)

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

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 2, 2009**

The governing body met in regular session on September 2, 2009, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Jindra, Johnson, Lanoue, and Hosie.

Absent: None.

Other Officers: Interim City Manager Uri, Finance Director Farha and City Clerk Crum.

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

Visitors: Jessica LeDuc, Jeremy Keezer, Larry Eubanks, Janet Eubanks, Kirk Lowell, Ron Deal, Marvin Copple, Don Lanoue, Sandra Moore, Arlene Clayton, Tom Tuggle, Ron Copple, Jim Ganson, Jean Rosemarynoski, Ken Johnson, Chad Buckley, Bruce Johnson, Harley Adams, Johnny Adams, Loretta Jaspers.

Pastor Sandra Moore gave the invocation followed by the reciting of the Pledge of Allegiance.

Mayor Hattan asked for changes to the agenda. Interim City Manager Uri asked to move the first study session item of the north project to old business, and to add an executive session to discuss confidential business matters.

**APPROVAL OF MINUTES****APPROVED**

Commission Hosie moved to approve the minutes of the August 12, 2009 intergovernmental meeting and the minutes of the August 19, 2009, meeting. Commissioner Lanoue seconded. Motion carried unanimously.

**APPROPRIATION ORDINANCE NO. #16****APPROVED**

Ron Copple explained the \$1300 for curb and gutter design to Campbell & Johnson in response to Commissioner Lanoue's emailed question if this was a project, which it was not. Commissioner Lanoue asked why Wanda Backstrom's deposit for the sports complex concession stand was paid out of the pool department. City Clerk Crum stated that she had receipted the deposit in the wrong account, so paid that money back out where it was originally receipted. There was a discussion of storm drainage problems on 5<sup>th</sup> Street. Commissioner Johnson asked about the two Vantagepoint checks and the two Kansas Payment Center checks for the same amount. City Clerk Crum explained that they were issued during two different payroll cycles.

Commissioner Johnson moved to approve appropriation ordinance #16. Mayor Hattan seconded. Motion carried unanimously.

**PUBLIC COMMENTS**

Arlene Clayton discussed her displeasure with pigeon droppings on the entryway to the old library and thought something should be done about it.

**NEW BUSINESS:****ADMINISTRATION VEHICLE BIDS****TABLED**

Stacey Crum presented bids she'd received for a vehicle to be used for errands in town and out of town training. Of nine bids from four bidders, it was narrowed down to two vehicles: 2007 Saturn Ion 2 for \$8950.00 and 2004 Pontiac Grand Am for \$6450.00, both from Babe Houser Motor Co.

Commissioner Hosie felt that the city would save money by just paying mileage to the employees. Commissioner Lanoue was concerned about adding another vehicle to the fleet when a vehicle might need to be negotiated for a new city manager next year. It was suggested that certainly a current city vehicle could be found to use. Ms. Crum stated it was possible, but most vehicles were being used during the day by other employees. A list of all city vehicles was requested.

Mayor Hattan moved to table the administration vehicle purchase until a list of vehicles and an accounting of what has been spent on mileage are provided. Commissioner Johnson seconded. Motion carried unanimously.

**SUPPLEMENTAL AGREEMENT TO 5<sup>TH</sup> STREET PROJECT**

Ron Copple presented a supplemental agreement to the 5<sup>th</sup> St. project that will be using Recovery Act funds, and noted the changes from the original agreement.

Mayor Hattan moved to approve the supplemental agreement. Commissioner Lanoue seconded. Motion carried unanimously.

**MANAGER'S REPORT**

Interim City Manager Uri updated the commission on the progress of the police chief search, and named the newly formed advisory committee consisting of several Concordia citizens. Members are Rob Walsh, Bev Mortimer, Rod Imhoff, Nancy Zenger-Beneda, Jim Kerr, and Jessica LeDuc. He asked that the commissioners

appoint one member of the commission to serve on the committee. The commission declined. In the survey being distributed around town, Commissioner Lanoue wanted a line added about consolidated law enforcement, which Interim City Manager Uri agreed to do.

Concerning a tree trimming program that has been discussed recently, Interim City Manager Uri said that if the city proceeded giving nuisances to homeowners, the city would be understaffed to handle the paperwork. According to Interim City Manager Uri, the money would be better spent hiring someone to trim trees rather than going through the nuisance process with possibly hundreds of cases.

The recent drop in sales tax receipts was discussed. Amber Farha provided a report showing projected sales tax for the remainder of 2009 if the trend continues. Commissioner Hosie suggested checking with the state to see if they had an explanation why the city saw such a large drop for August receipts, and also asking other area cities if their sales tax was down as well. Ms. Farha also provided bank reconciliation reports which bring them up to date through July.

#### **MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson said that there are two interim department heads, and perhaps a permanent city manager should be hired before these positions are filled. He thought the city needed to make a better effort keeping city property mowed, and discussed cracks in various basketball and tennis courts. He requested the management letter be added to the August 5 minutes in the library. Interim City Manager Uri said this would be done. Commissioner Johnson said a building at 4<sup>th</sup> & Cedar is collapsing. Ron Copple said that this building is owned by the railroad and Bruno Rehbein has addressed this problem with them.

Commissioner Hosie said that low hanging limbs present problems to public safety, and asked that the public give the commission feedback on their thoughts on how to handle this problem.

Commissioner Lanoue praised the two new Orphan Train Complex/Nazareth Motherhouse/Brown Grand Theatre signs that were recently installed.

#### **STAFF COMMENTS**

Larry Eubanks commented on the tree trimming program, and stated that property owners could be held accountable through the nuisance abatement program, but if the city has no money to do the work, that the nuisance notices would be idle threats.

#### **EXECUTIVE SESSION – NON-ELECTED PERSONNEL (1)**

**HELD**

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for non-elected personnel. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:25 p.m.

The commission reconvened at 6:35 p.m.

Mayor Hattan announced there was no binding action taken.

#### **EXECUTIVE SESSION – DISCUSSION OF CONFIDENTIAL BUSINESS INFORMATION (2) HELD**

Mayor Hattan moved that the commission recess into executive session for thirty (30) minutes for discussion of confidential business information. Inviting: Interim City Manager Uri. Kirk Lowell, Harley Adams and Johnny Adams. Commissioner Johnson seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:37 p.m.

The commission reconvened at 7:07 p.m.

Mayor Hattan announced there was no binding action taken.

#### **EXECUTIVE SESSION – DISCUSSION OF CONFIDENTIAL BUSINESS INFORMATION (2) HELD**

Mayor Hattan moved that the commission recess into executive session for twenty (20) minutes for discussion of confidential business information. Inviting: Interim City Manager Uri. Kirk Lowell, Harley Adams and Johnny Adams. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.



Time: 7:08 p.m.

The commission reconvened at 7:28 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, Commissioner Jindra moved to adjourn the meeting. Commissioner Lanoue seconded. Motion carried unanimously.

(Seal)

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

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 16, 2009**

The governing body met in regular session on September 16, 2009, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Jindra, Johnson, Lanoue, and Hosie.

Absent: None.

Other Officers: Interim City Manager Uri, Finance Director Farha and City Clerk Crum.

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

Visitors: Jessica LeDuc, Toby Nosker, Jo Barclay, Paul Abram, Mark Boands, Chuck Bouilly, Leland Tice, Harley Adams, Sam Whitehead, Charley Lowers, Bruce Johnson, Bruno Rehbein, Kyle Adams, Johnny Adams, Michael Adams, Jim Ganson, Jean Rosemarynoski, Anna Marie Broxterman, Ron Copple, Don Dean, Mark Morgan, Sister Beth Stover, Marvin Copple, Roy Reif, Darla Adams, Larry Eubanks, Bob Maxson, Marcia Allen, Julie Christensen, Lowell Thoman, Charles Cyr, Janet Eubanks, Jim Stromberg, Don Lanoue, Ken Johnson, Tammy Britt, Janet Lowell, Phil Gilliland, Kirk Lowell, Tom Tuggle, Dana Brewer, Robert Steimel.

Pastor Sandra Moore gave the invocation followed by the reciting of the Pledge of Allegiance.

Mayor Hattan asked for changes to the agenda. Interim City Manager Uri mentioned that the north development and the Cloud County Community College development agreement were placed first on the agenda to accommodate those involved in the agreements and the public interested in the discussion.

**OLD BUSINESS:**

**NORTH DEVELOPMENT AGREEMENT**

**CONCORDIA TRACTOR, KDOT**

Leland Tice spoke on behalf of KDOT on the shortcomings of the present KDOT facility and how beneficial a new facility would be. Future plans include bringing a regional facility to Concordia, along with the probability of at least twenty new jobs. Harley Adams of Concordia Tractor discussed how his business could not be developed further at its present location. The current building does not facilitate newer, larger equipment. Plans include a much larger facility with the possibility of new jobs and further expansion in the future. Sam Whitehead, John Deere Dealer Development Manager at the Kansas City branch, spoke of CTI's importance to our agricultural community. Kirk Lowell and Dana Brewer, representing CloudCorp, talked of the impact of opening a new area for development, and a resolution of support recently passed by the CloudCorp board was read to the commissioners. Mr. Lowell discussed other land available for development should the annexation occur.

Chuck Bouilly of George K. Baum & Company, Wichita, was on hand to discuss several options for refinancing of existing bonds, plus a new general obligation bond to be issued for this project, and answered questions from the commissioners. The new bond would include the current wastewater treatment plant project now financed with temporary notes. He presented a resolution to be signed should the commission agree to go forward with the project.

Commissioner Jindra moved to approve the north development agreement with Concordia Tractor. Commissioner Hosie seconded. Motion carried unanimously.

Commissioner Jindra moved to approve the north development agreement with KDOT. Commissioner Lanoue seconded. Motion carried unanimously.

The matter of offering for sale of General Obligation Refunding and Improvement Bonds, Series 2009, came on for consideration and was discussed.

Mayor Hattan presented and moved the adoption of a resolution entitled:

**RESOLUTION AUTHORIZING CERTAIN ACTIONS RELATING TO THE OFFERING  
FOR SALE OF GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS,  
SERIES 2009, OF THE CITY OF CONCORDIA, KANSAS.**

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

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

Nay: None.

The Mayor declared the resolution duly adopted; the clerk designating the same Resolution No. 2009-1850.

**CCCC DEVELOPMENT AGREEMENT & ELECTRIC LINE LICENSE**

The college desires to put a high voltage electric line underground in city right of way where the college's wind tower generator will be erected. Bruno Rehbein presented the license, along with a map showing the area.

Commission Jindra moved to approve the electric license with Cloud County Community College. Commissioner Lanoue seconded. Motion carried unanimously.

The development agreement between CCCC and the city addresses the issue of the water pressure problem on the south side of town. The college has agreed to contribute \$100,000 towards the project, with a total project cost of approximately \$484,000.

Commission Hosie moved to approve the development agreement with CCCC. Commissioner Lanoue seconded. Motion carried unanimously.

#### **DISCUSSION OF FLOOD CONTROL FINANCING**

The next phase of the project with the Corps of Engineers will contain extensive planning and engineering and the city has been asked to contribute a \$225,000 match. It is Interim City Manager Uri's understanding that if the city pays the entire amount, this phase of the project could be completed in 2010, but if the money is contributed over time, the planning project will also take several years to complete.

Mayor Hattan stated that since the CCCC project was less than budgeted, he felt the city could proceed with TIF funding for this project. Commissioner Jindra said that since this item was added late to the agenda, he'd like to see discussion tabled until the next meeting. Interim City Manager Uri said that Kirk Lowell has a new revolving loan applicant, would it be possible to discuss both items at a special meeting next week? It was decided to meet September 25 at 8:00 a.m. for the purpose of discussing flood control financing and the revolving loan application.

#### **APPROVAL OF MINUTES**

#### **APPROVED**

Commission Jindra moved to approve the minutes of the September 2, 2009, meeting. Commissioner Johnson seconded. Motion carried unanimously.

#### **APPROPRIATION ORDINANCE NO. #17**

#### **APPROVED**

Commissioner Lanoue asked if local businesses had been considered on the printer purchase, and felt that purchases should be local when possible. Commissioner Lanoue asked if city employees are getting the government rate when booking hotel rooms, as it seemed that several on this appropriation were higher than normal. It was promised this would be considered. Commissioner Johnson asked why employees were sent to southwest Kansas for training. Larry Eubanks stated that this was the only site offered. Commissioner Johnson asked about the medical billing. Interim City Manager Uri said that the outsourcing is being phased out slowly.

Commissioner Johnson moved to approve appropriation ordinance #17. Commissioner Jindra seconded. Motion carried unanimously.

#### **PUBLIC COMMENTS**

Dana Brewer invited the public to the whole wall project dedication on September 26, during Fall Fest.

#### **PROCLAMATION - CONCORDIA YEAR OF PEACE**

Sister Jean Rosemarynoski of the Sisters of St. Joseph read a proclamation and Mayor Hattan declared September 2009-December 2010 a year of peace in Concordia.

#### **OLD BUSINESS:**

#### **TREE TRIMMING**

Concerning tree trimming, it has been determined by a local tree trimmer that \$20,000 would do one quarter (1/4) of the city. As the commission has been reluctant to appropriate that much money for this project, Interim City Manager Uri proposed spending \$5,000 to take a section of town and trim the trees in the city right of way. After this is done, it can be discussed if the commission would want to continue the project. Commissioner Johnson said he would be in agreement of doing one street, rather than picking and choosing different areas. Commissioner Lanoue was not in favor of spending \$80,000 to trim trees.

#### **CAMPBELL & JOHNSON BROADWAY SEWER MONITORING & FLAGGING AGREEMENT**

This agreement goes along with the CDBG application for the Broadway sewer project, and contains a clause that the agreement is only valid if funds are approved for the project.

Commissioner Hosie moved to approve the agreement with Campbell & Johnson. Commissioner Jindra seconded. Motion carried unanimously.

**NEW BUSINESS:****COMMISSION ROOM REMODELING****FAILED**

There was discussion on changing the dais and the layout of the commission room. Interim City Manager Uri suggested a projector that could put any document on a screen for viewing, for easy access to the commissioners.

Commissioner Johnson made a motion to go forward with the project. Commissioner Hosie seconded. Motion failed 2-3 by the following vote:

Aye: Commissioners Johnson and Hosie.

Nay: Commissioners Hattan, Jindra, and Lanoue.

**CITY MANAGER CONTRACT**

There was discussion in a previous meeting about Interim City Manager Uri taking vacation time without loss of pay. He pointed out that the contract states that he will generally work twenty hours per week, but that the hours are his to set. Commissioner Johnson still expressed reservations on this issue. Mayor Hattan said the contract was written for both sides to be flexible.

**CITY MANAGER SEARCH**

There was discussion on the search for a fulltime city manager. Mayor Hattan had done research with other cities, and his finding was that in order to find a city manager, the previous managers must be willing to recommend the city. Commissioner Jindra said that, although he had reservations with the idea of a half time manager a year ago, his expectations had been exceeded with Interim City Manager Uri.

Commissioner Jindra moved to extend Interim City Manager Uri's contract for two years. Commissioner Hosie seconded. Commissioner Lanoue stated she preferred to continue with the month-to-month contract, in order to solicit for a permanent city manager in the future. Commissioner Johnson said he did not approve of a part time city manager. Interim City Manager Uri said that he was tired of being called an interim, but otherwise did not mind leaving the contract the way it is. Commissioner Jindra did not support the month to month, as things had the possibility of getting political. Mayor Hattan said he was comfortable with the contract the way it is. Interim City Manager Uri said that as a practical matter, there should be a 60 day notice period, where either party could get out, and could include that in the contract to be reviewed at the next meeting.

Commissioner Jindra withdrew his motion.

**STIMULUS ESTIMATE FOR 5<sup>TH</sup> STREET**

Ron Copple presented changes on the cost of the 5<sup>th</sup> Street project. The increases were found during the design phase, and included an unstable sub base and inadequate storm drainage. Originally, the cost of the project was estimated at \$450,000, with the city contributing \$25,000. The current estimate is \$641,000, with the city contributing \$225,000. Mr. Copple said that he recommended paying for the project by omitting the slurry sealing for 2010.

After discussion of drainage, bid letting, and KDOT, Mayor Hattan suggested that funds could possibly be taken from the TIF fund in order to be able to do the slurry sealing next year.

**RESOLUTIONS:****2009-1849 CDBG - SEWER**

This resolution had been passed previously (Res. 2009-1847), but due to the change in the money requested, Deb Ohlde of the North Central Regional Planning Commission asked for a new resolution to be submitted to the state.

Commissioner Jindra moved to approve resolution 2009-1849. Mayor Hattan seconded. Motion carried by the following vote:

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

Nay: None.

**ORDINANCES:****2009-2980 WATER RATE ORDINANCE**

The ordinance, as previous discussed in study session, would raise rates 5% across the board each year for the next three years.

Mayor Hattan noted to those in attendance that this rate increase would not pay for new projects such as the north development. Those projects are being paid for with bonds. The increase for the first year will be approximately \$50,000.

Commissioner Johnson was concerned that the residential customers with moderate usage would see the higher rates accordingly, than heavier users. Commissioner Lanoue stated that the heavy commercial users had budgets and would need advance notice of the new rates. Commissioner Lanoue suggested that there might be a separate commercial rate. Interim City Manager Uri said that this ordinance could be passed now, and changes could be made later with a new ordinance.

Mayor Hattan moved to approve ordinance 2009-2980. Commissioner Johnson seconded. Motion carried by the following vote:

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

Nay: None.

#### **MANAGER'S REPORT**

Interim City Manager Uri asked if the Commission was interested in spending another \$1000 on alternative economic development advertising, as the sponsors of the "shop local" program had agreed to a \$1000 match. Mayor Hattan suggested seeing what the next sales tax allocation would be before making the decision.

Interim City Manager Uri reminded the Commissioners that the League conference was coming up and if they planned to attend, to get their reservations to City Clerk Crum.

Interim City Manager Uri said that it appeared that Tom Gennette was getting good responses to a request for members for the recreation advisory board.

#### **MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson wanted to know what was being done about stickers at Hood Park. Ron Copple said that they had been sprayed. Commissioner Johnson asked about the tennis court surface. Mr. Copple said that he planned to caulk the cracks, to make sure moisture couldn't get in.

Commissioner Hosie asked if staff had gotten an explanation why sales tax dropped substantially last month. Interim City Manager Uri explained that major retailers have been required to pay sales tax by ACH, and this can result in distributions being underpaid one month, with the difference being made up the next month.

Mayor Hattan praised Amber Farha on quick responses to questions, and also thanked Ron Copple for allowing the use of the sports complex for Relay for Life.

#### **STAFF COMMENTS**

There were no staff comments.

#### **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

**PROCLAMATION**  
**Concordia Year of Peace**  
**September 2009-December 2010**

WHEREAS, all people in Concordia deserve to be treated with dignity and respect; and,

WHEREAS, good communication includes non-violent communication skills; and,

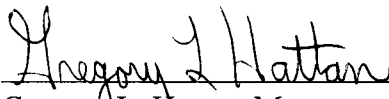
WHEREAS, all citizens from the youngest to the eldest can help spread peace and goodwill throughout our city; and,

WHEREAS, there is strong evidence that programs promoting nonviolence at a community level have decreased incidents of violence among all ages; and,

WHEREAS, we affirm that peace and nonviolence are ideals whose time has come and we encourage all citizens to promote and participate in activities teaching nonviolence throughout our city;

NOW, THEREFORE, I, Gregory L. Hattan, mayor of Concordia, Kansas, proclaim September 2009-December 2010 as Concordia Year of Peace.

Dated this 16<sup>th</sup> day of September, 2009.

  
\_\_\_\_\_  
Gregory L. Hattan, Mayor

**MINUTES OF THE SPECIAL CALL COMMISSION MEETING HELD SEPTEMBER 25, 2009**

The governing body met in special call meeting on September 25, 2009, at 8:00 a.m., in the City Commission room in the City Hall, the following members being present: Commissioners Hattan, Jindra, Johnson, and Lanoue.

Absent: Commissioner Hosie.

Other Officers: Interim City Manager Uri, Finance Director Farha and City Clerk Crum.

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

Visitors: Toby Nosker, Kirk Lowell, Janet Lowell, Chad Buckley, Bruce Johnson.

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

TO THE BOARD OF CITY COMMISSIONERS:

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

Place: City Commission Room, City Hall, Concordia, Kansas  
Date: September 25, 2009  
Time: 8:00 o'clock a.m.

The object of said meeting will be as follows:

1. Call to Order
2. Public Hearing on Concordia Revolving Loan Fund Financing Application
3. Executive Session for Discussion of Confidential Business Information
4. Revolving Loan Fund Application
5. Purchasing of Boring Equipment
6. CCCC Water Project Engineering
7. Adjournment

---

CHARLES JOHNSON  
COMMISSIONER

---

GREG HATTAN  
COMMISSIONER

---

DARREL HOSIE  
COMMISSIONER

---

JOE JINDRA  
COMMISSIONER

---

CHERYL LANOUE  
COMMISSIONER

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

TO: Greg Hattan, 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 to be held as follows:

Place: City Commission Room, City Hall, Concordia, Kansas  
 Date: September 25, 2009  
 Time: 8:00 o'clock a.m.

The object of said meeting will be as follows:

1. Call to Order
2. Public Hearing on Concordia Revolving Loan Fund Financing Application
3. Executive Session for Discussion of Confidential Business Information
4. Revolving Loan Fund Application
5. Purchasing of Boring Equipment
6. CCCC Water Project Engineering
7. Adjournment

(Seal)

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

You are hereby directed to serve the above notice at once personally upon Commissioner (s) Greg Hattan, 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 23rd day of September, 2009, and to make a return in writing of said service, showing the manner of such service.

\_\_\_\_\_  
 Stacey Crum  
 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 1:25 o'clock p.m., September 23, 2009 (Greg Hattan); 1:30 o'clock p.m., September 23, 2009 (Darrel Hosie); 1:40 o'clock p.m., September 23, 2009 (Charles Johnson); 1:35 o'clock p.m., September 23, 2009 (Joe Jindra); and 1:42 o'clock p.m., September 23, 2009 (Cheryl Lanoue).

1. Served the same personally on Greg Hattan. /s/ Clinton Fraser.
2. Served the same at residence on Darrel Hosie. /s/ Clinton Fraser.
3. Served the same personally on Charles Johnson. /s/ Clinton Fraser.
4. Served the same personally on Joe Jindra. /s/ Clinton Fraser.
5. Served the same at residence on Cheryl Lanoue. /s/ Clinton Fraser.

In answer to a question by Commissioner Lanoue, Interim City Manager Uri reviewed what the city's ordinance said concerning special meetings, and read the special call.

#### **PUBLIC HEARING ON CONCORDIA REVOLVING LOAN FUND FINANCING APPLICATION**

Kirk Lowell spoke representing Jason & Kari Grogan, who have applied for guaranteed funds to start a new and used bookstore downtown. Janet Lowell, president of Central National Bank, spoke, as her bank is issuing a loan to the Grogans. The maximum amount the city guarantees is \$15,000, and that guaranty will decrease as the loan decreases.

Interim City Manager Uri suggested not voting on this until the commissioners have had time to look over all the documents, and felt the borrowers should also be present to state their case.

Mayor Hattan moved to close the public hearing. Commissioner Lanoue seconded. Motion carried unanimously.

#### **EXECUTIVE SESSION – DISCUSSION OF CONFIDENTIAL BUSINESS INFORMATION HELD**



Mayor Hattan moved that the commission recess into executive session for fifteen (15) minutes for discussion of confidential business information. Inviting: Interim City Manager Uri. Kirk Lowell, and Janet Lowell. Commissioner Lanoue seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Jindra, Johnson, and Lanoue.

Nay: None.

Time: 8:40 a.m.

The commission reconvened at 8:55 a.m.

Mayor Hattan announced there was no binding action taken.

Commissioner Jindra made a motion to table the revolving loan fund application. Commissioner Lanoue seconded. Motion carried unanimously.

#### **PURCHASING OF BORING EQUIPMENT**

**ACCEPTED**

The purchase of the boring equipment and generator to run this and other equipment more efficiently was discussed at the last study session. To be used for the 5<sup>th</sup> Street project, Interim City Manager Uri requested action on the purchase at this time.

Commissioner Lanoue asked about the current hydraulic machine and why it couldn't be utilized. Chad Buckley explained that the current hydraulic pump runs at 8 gallons per minute and 20 gallons per minute is needed. Commissioner Lanoue asked how many times a year this could be used. Mr. Buckley said that he estimated it could be used on six to ten projects a year, and noted several upcoming projects for which this equipment could be utilized immediately. He anticipated it would be used about fourteen times in the next five to six months.

Two bids were received on the boring equipment from Western States Underground Technologies out of Oklahoma City. The \$16,533.62 bid includes the hydraulic pump and the \$10,133.62 bid does not.

Commissioner Johnson moved to accept the bid for \$16,533.62. Commissioner Jindra seconded. Motion carried 3-1, with Commission Lanoue opposing.

#### **CCC WATER PROJECT ENGINEERING**

**ACCEPTED**


Interim City Manager Uri recommended accepting BG Consultants for the engineering portion of the project. He stated that every engineer that has evaluated the project has recommended a different approach, and it's time to move forward, in order to get the project completed prior to August 1.

Commissioner Johnson moved to accept BG Consultants as engineers on the CCCC project. Commissioner Jindra seconded. Motion carried unanimously.

#### **ADJOURN**

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

(Seal)

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

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 7, 2009**

The governing body met in regular session on October 7, 2009, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Jindra, Johnson, Lanoue, and Hosie.

Absent: None.

Other Officers: Interim City Manager Uri, Finance Director Farha, City Clerk Crum, and Deputy City Clerk Hicks.

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

Visitors: Jessica LeDuc, Toby Nosker, Bruce Johnson, Isadore Bombardier, Brian Warren, John States, Chad Lawson, Ron Deal, Chad Buckley, Frankie Hottman, Jim Winter, Jim Coash, Thaniel Monaco, Jason Grogan, Kari Grogan, Gloria Hamel, Joe Hamel, J.T. Klaus, Allan Miller, Patricia Gerhardt, Barry Madden, Bruno Rehbein, Ron Copple, Marvin Copple, Larry Eubanks, Janet Eubanks, Don Lanoue, Ken Johnson, Janet Lowell, and Kirk Lowell.

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

Mayor Hattan asked for changes to the agenda. Interim City Manager Uri mentioned that a Contract for Geisler Roofing repairing hail damage to city buildings was added as item F. under Old Business and the item under Ordinances was moved to a Study Session item.

**APPROVAL OF MINUTES****APPROVED**

Commissioner Hosie moved to approve the minutes of the September 16, 2009, meeting. Commissioner Lanoue seconded. Motion carried unanimously.

Commissioner Johnson moved to approve the minutes of the September 25, 2009, Special Call Meeting. Commissioner Jindra seconded. Motion carried unanimously.

**APPROPRIATION ORDINANCE NO. #18****APPROVED**

Commissioner Johnson asked what the check for \$5,000 to the Downtown Improvement Fund was for. Kirk Lowell answered that it was for Monte Wentz's application for the Grant to remodel the old City Hall building on 6<sup>th</sup> and Lincoln.

Commissioner Hosie moved to approve appropriation ordinance #18. Commissioner Johnson seconded. Motion carried unanimously.

**PUBLIC COMMENTS**

Izzy Bombardier, representing the American Legion, publicly thanked Ron Copple for his efforts in preparing for Fall Fest.

**APPOINTMENTS**

Interim City Manager Uri presented the list of the five Recreation Advisory Board Members for approval. Interim City Manager Uri explained that there were eight equally qualified applicants, and the five being presented were chosen at random. The applicants chosen are Kenny Allen, Megan Patterson, John Hernandez, Paige Rudolph, and Channin McEuen. Commissioner Johnson requested background information on the applicants, and City Manager Uri said he would comply. Commissioner Lanoue asked if the terms were staggered. Interim City Manager Uri explained that the first two positions would be shorter terms, and the fifth position would be the longest.

Commissioner Hosie moved to appoint the five applicants presented to the Recreation Advisory Board. Commissioner Johnson seconded. Motion carried unanimously.

**OLD BUSINESS:****REVOLVING LOAN APPLICATION****APPROVED**

Interim City Manager Uri reminded the Commission that the Revolving Loan Application from Jason and Kari Grogan had been discussed and explained during the Public Hearing at the September 25, 2009, Special Call Meeting. The Grogans are asking for a loan in the principal amount of \$22,000 payable for five years. This loan will be used to open a book store in downtown Concordia. The city will provide a \$15,000 guaranty by placing a CD in that amount at the lending bank, Central National Bank. The amount of the guaranty amount will be lowered as the debt is paid off. It will be held by the bank until the full amount of the loan, plus interest, is paid off.

Kirk Lowell said that the CD will stay in the bank for five years, but when the principal amount has been paid down to \$5,000, that money can be used toward another loan if necessary.

Commissioner Johnson asked if the City collects the interest on the CD. Janet Lowell informed him that yes, we do.

Commissioner Johnson moved to approve the Revolving Loan Application from the Grogans. Commissioner Lanoue seconded. Motion carried unanimously.

#### **ENVIRONMENTAL REVIEW – 216 B W. 6<sup>TH</sup> ST.**

**APPROVED**

Kirk Lowell explained that the Federal Government now requires an environmental review for projects funded by revolving loans. Sara Crangle of the North Central Regional Planning Commission reviewed the project and determined that it is exempt from having a full environment review because there is no major building or reconstruction being done to the property. Mr. Lowell requested Mayor Hattan sign the document stating that the project is exempt, so it can be sent in to the state.

Commissioner Johnson moved to authorize Mayor Hattan to sign the environmental review. Commissioner Jindra seconded. Motion carried unanimously.

#### **CITY MANAGER CONTRACT**

**APPROVED**

Interim City Manager Uri explained that the contract he is presenting for approval includes the changes discussed at the previous meeting.

Commissioner Johnson questioned whether there was a conflict of interest for the permanent city manager to also be the acting city attorney. Interim City Manager Uri informed the Commission that there are certain stipulations to holding both job titles, such as: he is not allowed to set his city attorney salary and he is not allowed to represent the City in litigation. He stated that there is no law that prohibits the holding of both job titles. Commissioner Johnson questioned why the City was paying for two city attorneys. Interim City Manager Uri explained that he is acting as the attorney, and being paid less than what he was when he previously held the full time position as City Attorney; and Erin Riffey is the City Prosecutor, handling Municipal Court cases.

Commissioner Lanoue pointed out that on page three of the original City Manager Contract the hourly rate figure has been crossed out. Interim City Manager Uri stated that it was crossed off by mistake, and that the presented contract has been accurately updated. Commissioner Lanoue asked about the salary figure for the City Prosecutor. Interim City Manager Uri explained that it was \$1,500 per month, but was raised to \$1,800 in January of this year.

Commissioner Hosie moved to approve the City Manager Contract. Commissioner Jindra seconded. Motion carried 4-1, with Commissioner Johnson opposing.

#### **GENERAL OBLIGATION BOND FINANCING**

City Manager Uri mentioned that there is a separate column reflecting money to be paid by special assessment by Concordia Tractor.

Mayor Hattan asked if we were skipping temporary notes on the North Development Project and going directly to bonds. Amber Farha said the plan was to do bonds only. Mayor Hattan said that an engineering firm had told him that recent construction bids have been 25-40% below estimates. Mayor Hattan asked where the unused funds, if any, would be distributed to. Commissioner Lanoue suggested possibly using it toward future projects.

City Manager Uri suggested waiting until the end of the year to see the results of the project bids before they make any final decisions.

Mayor Hattan inquired about bond counsel's opinion on the subject. City Manager Uri stated that he would postpone adding the bond discussion to the agenda until after the bond counsel advised the City that it was time to move forward with the project.

There was discussion on the pros and cons of temporary notes vs. bonds, and the difference in interest rates. Amber Farha informed the Commission that this information was for discussion only, and no action was requested.

Mayor Hattan announced that the discussion will be tabled until further notice from the Bond Council.

#### **FLOOD CONTROL FINANCING**

City Manager Uri stated that the City has submitted a letter of intent to the Corps of Engineers asking them to proceed with the feasibility study on the flood control project. The project will be financed partially by the City, and partially by the Corps. The estimated cost of the feasibility study is \$431,000; \$215,000 of which is the City's responsibility. The Corps has informed City Manager Uri that if the fee is paid now, the study could be completed as early as 2010.

City Manager Uri told the Commission that they could decide to issue a check for the \$215,000, which is available in the City's TIF Fund, and it would be sent to the Corps. His opinion, however, is that it would be in the City's best interest to wait until after an in-depth discussion could be held between the Corps, the

commissioners, and himself. He does not think that the Corps' brief presentation sufficiently explained its intentions in regards to the substantial amount of time and money the City is being asked to invest.

Mayor Hattan explained his reason for wanting to use the TIF Fund as opposed to the CIP funds for this project.

Commissioner Hosie asked what the original projected cost and time estimate was for the complete project. City Manager Uri said the original cost estimate was \$1,500,000-\$2,000,000. The City's cost would be the \$215,000 share of the feasibility study, and 35% of the remaining cost.

Commissioners expressed concern with the projected timeline for the project. Commissioners Hosie and Jindra requested to invite Frank Mercurio with KLA Environmental to the next City Commission Meeting to compare his plans for the flood control project with the Corps' plans. Commissioner Jindra read some cost figures from KLA's December, 2005, study. Commissioner Hosie stated that Mr. Mercurio is still interested in doing the dam project for the City, and that there would be no cost to the City for him to attend the following Commission Meeting.

Mayor Hattan agreed that Mr. Mercurio should be invited to the following meeting in order to hear his presentation for the dam project.

Commissioner Jindra moved to invite Frank Mercurio to the next Concordia City Commission Meeting to discuss the Flood Control Project. Commissioner Hosie seconded. Motion carried unanimously.

#### **GEISLER ROOFING CONTRACT FOR ROOF REPLACEMENT**

City Manager Uri presented a \$47,000 contract for Geisler Roofing for repairing the damage done by the hail storm to the roofs of city buildings. The City has received \$144,000 out of \$166,000 from the insurance company, and will receive the remaining money after the final contract has been submitted. Commissioner Johnson asked why the City did not receive the entire \$160,000 up front. Ron Copple explained that the insurance company holds a portion of the money until the project (repairs) has been completed. If the repairs are not done, they do not pay the full amount.

Mayor Hattan moved to approve the contract for Geisler Roofing. Commissioner Jindra seconded. Motion carried unanimously.

#### **NEW BUSINESS:**

##### **C & J CONSTRUCTION MONITORING CONTRACTS**

**APPROVED**

City Manager Uri explained that this contract is for monitoring the contractors, to make sure everything is done correctly, to be on hand to answer any questions, and to act as the liaison for the city. The contract calls for work at an hourly rate and a maximum of \$94,250. He thinks it is appropriate to have separate contracts for design and for inspection, and to have the City Engineers perform the inspections. Campbell & Johnson declined to bid on the design portion of the project thus to avoid a conflict of interest.

Commissioner Johnson asked why BG Consultants would not be inspecting their own work, and how much it would cost if they did. City Manager Uri replied that it might be easier if a different company needed to point out a design flaw, etc. Commissioner Johnson noted that it was mentioned in both contracts that they would be in charge of the change orders, and he felt it should be stated more clearly who would be in charge.

Thaniel Monaco of BG Consultants replied that typically, if the firm doing the inspections requires a change order, they first consult the design engineers, and then the inspectors issue the change order through the city. City Manager Uri stated that it was made clear in the bids and the contracts that the design firm would not perform any of their own inspections.

Mr. Monaco stated that he was fully aware of the City's wanting to have its own engineers perform the inspections, and that if BG Consultants was not completely comfortable with the situation, it would have been addressed in their proposal.

Ken Johnson explained that depending on how the construction process goes, they could be running four contractors at the same time. With one contractor and one crew to watch over, there is not as much time spent with personnel, and the cost will be less. Whereas with more contractors, when you need more personnel on the site, then the cost will be higher due to the hours being worked.

Commissioner Johnson moved to approve the Campbell & Johnson Construction Monitoring Contract. Commissioner Jindra seconded. Motion carried unanimously.

##### **CCCC PROJECT ENGINEERING CONTRACT**

**APPROVED**

City Manager Uri stated that he had previously recommended not bidding out the engineering contract for the CCCC Project to other engineering firms, but instead offer it to BG Consultants. Due to the time constraints on the project, the City's best option is to hire BG Consultants, who is knowledgeable and familiar with the concept and has already done the preliminary.

Commissioner Lanoue questioned why the City hires different companies to do the design and the inspections. She asked Ken Johnson if engineers typically do their own inspection during the design process.

Mr. Johnson replied that this was true only about half the time. There was some discussion on whether BG Consultants should perform their own inspections, and how it would affect the contract.

Commissioner Johnson moved to authorize the mayor to sign the CCCC project engineering contract. Commissioner Jindra seconded. Motion carried unanimously.

**NORTH DEVELOPMENT ENGINEERING CONTRACT**

**APPROVED**

City Manager Uri presented the following bids for the design of the water and sewer improvements for the north development:

FIRM	SANITARY SEWER	WATERLINE	COMBINED TOTAL
Wilson & Company	\$36,286.00	\$26,816.00	\$63,102.00
HWS Consulting Group	\$41,000.00	\$28,000.00	\$69,000.00
Kaw Valley Engineering	\$56,600.00	\$62,900.00	\$119,500.00
BG Consultants	\$82,500.00	\$60,250.00	\$142,750.00
BWR			
Design	\$99,012.37	\$70,155.29	\$169,167.66
Engr/Topo Survey	\$19,233.41	\$16,306.68	\$35,540.09
Prop/Boundary Survey	\$13,137.41	\$13,222.96	\$26,360.37
BWR Total	\$131,383.19	\$99,684.93	\$231,068.12
Discounts Offered if Combined			
Design	-\$5,227.85	-\$3,704.20	
Prop/Boundary Survey	-\$2,627.48	-\$2,644.59	
Totals	-\$7,855.33	-\$6,348.79	
BWR Total/w Discounts	\$123,527.86	\$93,336.14	\$216,864.00

City Manager Uri stated that eight or nine engineering firms were asked to bid on this project. Six of these firms submitted bids, with one of those withdrawing their bid. A committee consisting of Ken Johnson, Don Dean, Chad Buckley, Larry Uri, and Commissioner Johnson listened to proposals from the five firms, which were Wilson & Company, HWS Consulting Group, Kaw Valley Engineering, BG Consultants, and BWR. Based on the firms' presentations and qualifications, City Manager Uri said the committee recommends BG Consultants for the project. City Manager Uri also mentioned that the contract is for \$138,730, which is less than the \$142,750 that they originally bid.

Commissioner Jindra moved to award the North Development Engineering Contract to BG Consultants for an amount not to exceed \$138,730. Commissioner Hosie seconded. Motion carried unanimously.

**EAST HILLS SPECIAL ASSESSMENT**

City Manager Uri reminded the Commission that this matter was presented to them several meetings prior. The East Hills development had constructed a small portion of access roads which was paid for by special assessment. At the request of Mr. and Mrs. Corbeil, the included ordinance has been amended to narrow the area subject to the special assessment to the lot where the community building of the development is located.

Commissioner Hosie moved to approve ordinance 2009-2981. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

**RESOLUTIONS:**

**2009-1851 ELK STATE BANK DEPOSITORY**

City Manager Uri explained that even though Elk State Bank is one of our designated depositories, the City has not yet placed any funds with them. One of the City's CDs has reached maturity. City Manager Uri informed the Commission that the interest rates were unfavorable, showing a decrease from 2-3% to 0.2%. After bidding out for a six month CD, the City has opted to go with Elk State Bank, who offered a 0.78% interest rate.

Mayor Hattan moved to approve resolution 2009-1851. Commissioner Johnson seconded. Motion carried by the following vote:

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

Nay: None.

**2009-1852 HOSIE FIRE PROCEEDS PUBLIC HEARING**

City Manager Uri stated that due to Commissioner Hosie's personal involvement with said resolution, it would be appropriate for him to abstain from voting.

The resolution calls for a public hearing which must be scheduled more than thirty days after approval of the ordinance; the hearing has been scheduled for November 18, 2009, at 5:30 p.m.

Commissioner Johnson moved to approve resolution 2009-1852. Mayor Hattan seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Jindra, Johnson and Lanoue.

Nay: None.

Abstain: Commissioner Hosie.

**MANAGER'S REPORT**

City Manager Uri mentioned the Annual Regional Supper hosted by the League of Kansas Municipalities on October 28, 2009; RSVP no later than October 21, 2009.

Another quarterly intergovernmental meeting will be held on Tuesday, November 10, 2009 at 7:00 p.m.

City Manager Uri asked the commission whether they were interested in spending \$1,000 of economic development funds on a continuation of the recent radio campaign urging people to spend locally. He noted that the people who organized that campaign have received pledges of matching funds. No motion was made.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Jindra thanked Ron Copple for filling up potholes.

Commissioner Johnson asked about the tree trimming.

**STAFF COMMENTS**

Fire Chief Larry Eubanks informed the Commission that the tree trimming would begin on Saturday, October 10, 2009. Door knockers have been placed at the homes which might be affected by the tree trimming, and Mr. Eubanks assured the Commission that someone from the tree trimming crew would personally go to the door of each home prior to doing any cutting, in order to be sure that they have given sufficient notice to the public.

Mr. Eubanks also noted that his department has had some individuals pass the EMTI (Emergency Medical Technician Intermediate test. There are nine personnel qualified in rope rescue that have climbed the Wind Towers.

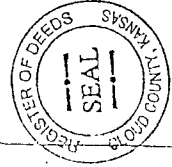
**ADJOURN**

Mayor Hattan announced there would be a study session following the adjournment of the meeting.

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

(Seal)

  
Sara Hicks  
Deputy City Clerk



# REPLAT - EAST HILLS ESTATES

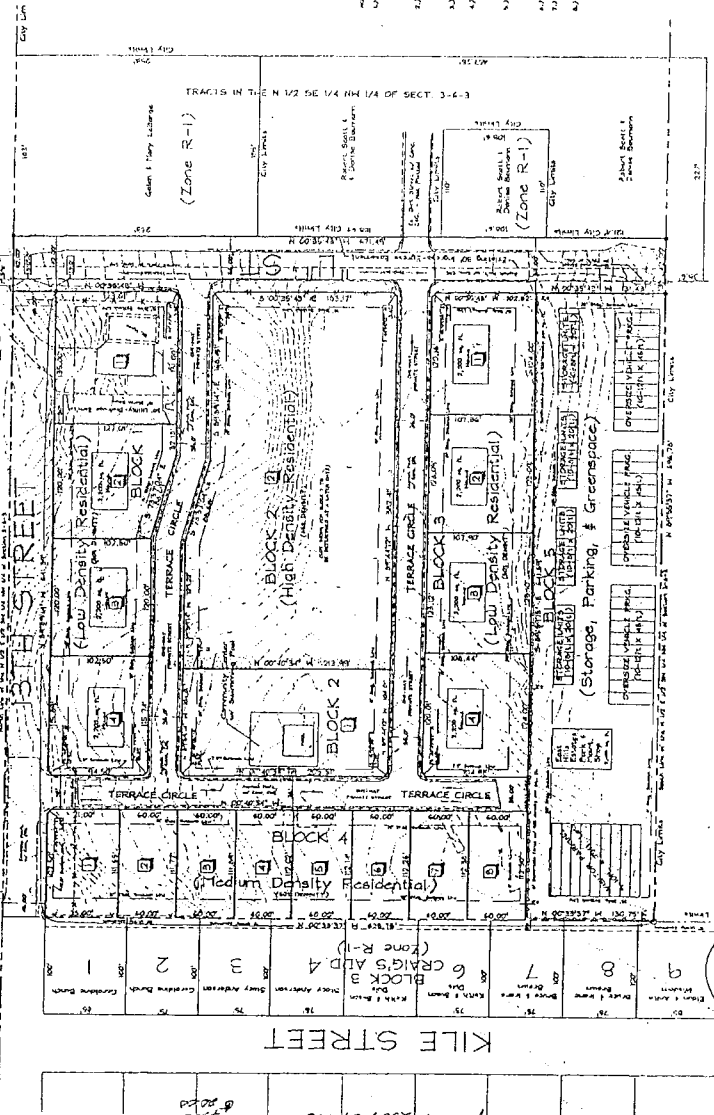
## A PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

of the East Hills Mobile Home Park. A tract in the North One Half (N 1/2) of the East One Half (E 1/2) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) and the West Forty-two (42) feet of the North One Half (N 1/2) of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section Three (3), Township Six (6) South, Range Three (3) West of the 6th Principal Meridian.

25	26	27	28	29	30
Block 1	Block 2	Block 3	Block 4	Block 5	Block 6
ADDN	ADDN	ADDN	ADDN	ADDN	ADDN
25	26	27	28	29	30
Block 1	Block 2	Block 3	Block 4	Block 5	Block 6
ADDN	ADDN	ADDN	ADDN	ADDN	ADDN

25	26	27	28	29	30
Block 1	Block 2	Block 3	Block 4	Block 5	Block 6
ADDN	ADDN	ADDN	ADDN	ADDN	ADDN
25	26	27	28	29	30
Block 1	Block 2	Block 3	Block 4	Block 5	Block 6
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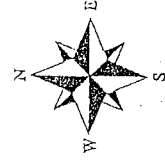
25	26	27	28	29	30
Block 1	Block 2	Block 3	Block 4	Block 5	Block 6
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Block 1	Block 2	Block 3	Block 4	Block 5	Block 6
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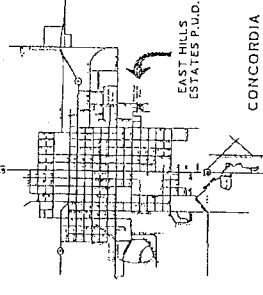
This instrument was filed for record on the 22nd day of August, A.D. 2002, at 11:22 o'clock A.M. in page 41 of the Register of Deeds, Cloud County, Kansas.

*Judy Kunkel*  
Register of Deeds

15TH ST.



Scale bar showing distances in feet (0 to 100).



VICINITY MAP

CONCORDIA  
EAST HILLS ESTATES P.U.D.

- NOTES:
1. The plat is subject to the provisions of the Kansas Statutes relating to Planned Unit Developments, specifically K.S.A. 82-1401 through 82-1410.
  2. The plat is subject to the provisions of the Kansas Statutes relating to Mobile Home Parks, specifically K.S.A. 82-1411 through 82-1415.
  3. The plat is subject to the provisions of the Kansas Statutes relating to Zoning, specifically K.S.A. 82-1416 through 82-1420.
  4. The plat is subject to the provisions of the Kansas Statutes relating to Subdivisions, specifically K.S.A. 82-1421 through 82-1425.
  5. The plat is subject to the provisions of the Kansas Statutes relating to Easements, specifically K.S.A. 82-1426 through 82-1430.
  6. The plat is subject to the provisions of the Kansas Statutes relating to Eminent Domain, specifically K.S.A. 82-1431 through 82-1435.
  7. The plat is subject to the provisions of the Kansas Statutes relating to Public Utilities, specifically K.S.A. 82-1436 through 82-1440.
  8. The plat is subject to the provisions of the Kansas Statutes relating to Highways, specifically K.S.A. 82-1441 through 82-1445.
  9. The plat is subject to the provisions of the Kansas Statutes relating to Agriculture, specifically K.S.A. 82-1446 through 82-1450.

LEGEND

1	Block 1
2	Block 2
3	Block 3
4	Block 4
5	Block 5
6	Block 6
7	Block 7
8	Block 8
9	Block 9

REPLAT - EAST HILLS ESTATES  
PLANNED UNIT DEVELOPMENT  
CONCORDIA, KANSAS

CARROLL & JOHNSON ENGINEERS, P.A.  
REGISTERED ARCHITECTS - LAND SURVEYORS  
1000 N. 10th Street, Suite 100  
Concordia, MO 64501  
Phone: (816) 223-1111  
Fax: (816) 223-1112



1 / 1  
SHEET

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD OCTOBER 21, 2009**

The governing body met in regular session on October 21, 2009, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Jindra, Johnson, Lanoue, and Hosie.

Absent: None.

Other Officers: City Manager Uri, Finance Director Farha, and City Clerk Crum.

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

Visitors: Jessica LeDuc, Toby Nosker, Frank Mercurio, John Alexander, Megan Murdock, Chad Buckley, Larry Eubanks, Bruce Johnson, Ron Deal, Marcia Allen, Jean Rosemarynoski, Don Lanoue, Marvin Copple, Don Dean, Patricia Gerhardt, Alan Corbeil, Kevin McCann, Bruno Rehbein, Ron Copple.

The Pledge of Allegiance was recited. There was no invocation.

Mayor Hattan asked for changes to the agenda. City Manager Uri noted that the first item of new business on flood control was placed immediately following, to facilitate those involved in the presentations.

**NEW BUSINESS:****FLOOD CONTROL PRESENTATIONS**

Frank Mercurio, of KLA Environmental Services, gave a power point presentation on KLA's past several years flood control study. Mr. Mercurio gave a time line of two to three years for completion of the project. Construction costs of the two dams only, Plum Road and 21<sup>st</sup> St., was estimated at \$750,000 in 2005. KLA's updated estimate for the complete project is \$1.8 million. According to Mr. Mercurio, KLA has done dozens of dams and Concordia's is the most critical due to the homes immediately downstream.

Mayor Hattan stated that by his recollections, the Corps of Engineers project would be completed in a similar time line as KLA's, with a comparable total project cost. In Mayor Hattan's opinion, it made sense to complete the project with the Corps, as the City has a good likelihood of receiving funds that will cover all but approximately \$215,000 of the project.

Kevin McCann, of Kansas Rural Development Agency, spoke on funding available for the dam, including a 40 year direct loan, grants, and federal stimulus money. Mr. McCann spoke favorably of community block development grants, of which the City is already qualified as LMI (low to moderate income) status.

Commissioner Jindra said that the flood control project should be top priority, to be completed no matter who pays the bill. He said the property could be sold, developed, and additional sales tax collected to help offset the cost of the dam. Commissioner Hosie would like to see the specifications of the Corps' project, such as design, land use and cost. City Manager Uri said he would follow up.

**APPROVAL OF MINUTES****APPROVED**

Commissioner Jindra moved to approve the minutes of the October 7, 2009, meeting. Commissioner Johnson seconded. Motion carried unanimously.

**APPROPRIATION ORDINANCE NO. #19****APPROVED**

Commissioner Johnson asked about missing checks between #51599 and #51690. City Clerk Crum said that those checks were approved on the last appropriation, with check #51599 being inadvertently omitted at that time.

Commissioner Lanoue requested the financial back page. Finance Director Farha said that she would provide this in the future.

Commissioner Jindra moved to approve appropriation ordinance #19. Commissioner Lanoue seconded. Motion carried unanimously.

**PUBLIC COMMENTS**

Patricia Gerhardt thanked the commission for their continued discussion of the flood control project.

**OLD BUSINESS:****NORTH DEVELOPMENT FINANCING**

Discussion ensued on the pros and cons of obtaining general obligation bonds to finance the north development at this time, rather than waiting until the City has a better understanding of how much exactly will be needed. The City can finance for ten, fifteen or twenty years on the new bond.



Mayor Hattan asked which payment was closer to what we're doing now, to which Finance Director Farha answered it would be the twenty year payment. Mayor Hattan said that if the bids for the project came in less than estimated, the City could possibly finance fifteen years, but if not, or if the City takes on additional debt with the flood control project, there would be no way to expend that much extra without going twenty years.

Commissioner Johnson suggested raising the mill levy in order to help with the additional payment, to pay the bond off in ten or fifteen years. He said that spending so much extra on interest was not in the City's best interests. Commissioner Johnson noted the years that principal isn't paid on the new money, which will cause the cost of borrowing to be incrementally higher the longer the term.

The commission requested further numbers with what Concordia Tractor and the water department will be contributing. Commissioner Johnson requested an estimate on how much the new water rate increase would bring in if there was not a declining scale for higher users.

**NEW BUSINESS:**

**IRB MARQUIS PLACE – ORD. 2009-2982**

**APPROVED**

The City Commission of the City of Concordia, Kansas, met in regular session, at the usual meeting place in said City on October 7, 2009, at 5:30 p.m., with Mayor Gregory L. Hattan presiding and the following members present:

Commissioners Hattan, Jindra, Johnson, Hosie and Lanoue.

and the following members absent:  
None.

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

AN ORDINANCE AUTHORIZING THE CITY OF CONCORDIA, KANSAS TO ISSUE ITS SUBORDINATED TAXABLE INDUSTRIAL REFUNDING REVENUE BONDS, SERIES 2009 (MARQUIS PLACE OF CONCORDIA, L.L.C.), IN THE PRINCIPAL AMOUNT OF \$600,000 TO PROVIDE FUNDS TO (1) REFUND AND REDEEM THE CITY'S OUTSTANDING SUBORDINATED TAXABLE INDUSTRIAL REVENUE BONDS, SERIES B, 2000 AND (2) PAY CERTAIN COSTS OF ISSUANCE; AUTHORIZING THE EXECUTION OF A FIRST SUPPLEMENTAL TRUST INDENTURE BETWEEN THE CITY AND SUNFLOWER BANK, N.A., AS TRUSTEE; AUTHORIZING EXECUTION OF A FIRST SUPPLEMENTAL LEASE BETWEEN THE CITY AND MARQUIS PLACE OF CONCORDIA, L.L.C, AS TENANT; APPROVING THE FORM OF A GUARANTY AGREEMENT; APPROVING THE FORM OF AN INDIVIDUAL GUARANTY AGREEMENT; AND AUTHORIZING THE EXECUTION OF A BOND PLACEMENT AGREEMENT BY AND BETWEEN THE CITY, THE TENANT, THE INDIVIDUAL GUARANTORS AND THE PURCHASERS OF THE 2009 BONDS.

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

A majority of the members having voted in favor of the passage of said Ordinance, it was designated Ordinance No. 2009-2982.

**HEALTH INSURANCE**

There was discussion on the employee's health care. Renewal is in November for employees and the state plan for Blue Cross has projected an increase in premiums of 12½% for state fiscal year 2010. Staff recommends staying at the current contribution level, with no change to the employee until the rates increase in July 2010.

Both Mayor Hattan and Commissioner Lanoue proposed seeing an increase from 33% of the employee share of the premium, to 50% of the employee share. There was discussion on the state's requirement which provides maintaining at least 70% participation, in which case it was suggested that health care be mandatory for all employees should anyone wish to drop the insurance.

Mayor Hattan moved to raise the employees' contribution to 50% for 2010. If the 70% participation is not reached, health insurance will be made mandatory for all employees with the City paying 100% of single coverage, additional insurance will be paid by the employee. For 2011, the contribution will be 100% of the state's guideline for employees. If the 70% participation is not reached, health insurance will be made mandatory for all employees with the City paying 100% of single coverage, additional insurance will be paid by the employee. Commissioner Lanoue seconded. Motion carried 4-1, with Commissioner Hosie opposing.

**PURCHASE OF DEFIBULATOR**

**ACCEPTED**

Larry Eubanks presented the following bids for a refurbished defibulator:

Foremost Equipment	Zoll M Series	\$ 8,995.00
Zoll Medical Corporation	Zoll M Series	\$15,000.00

Mayor Hattan moved to accept the Foremost Equipment bid of \$8,995 for a refurbished defibulator. Commissioner Jindra seconded. Motion carried unanimously.

**AMENDMENT TO CCCC ELECTRICAL LICENSE****ACCEPTED**

The amendment to the license gives the community college right-of-way on City property for a fiber optics line associated with the wind turbine project.

Commissioner Jindra moved to approve the CCCC electrical license amendment. Commissioner Lanoue seconded. Motion carried unanimously.

**DEMO PROGRAM REIMBURSEMENTS**

Bruno Rehbein presented two demo projects for reimbursement. Both properties have completed the necessary cleanup for receipt of the funds. The third project presented, 435 E. 1<sup>st</sup>, has been declared unsafe and dangerous and the reimbursement of funds for this property will facilitate the City taking action to recover the cost from the property owner.

There was discussion on the reimbursement to Kansas Lumber (Concordia Homestore) and possible use of TIF funds for that project. It was decided to pay them through the demo program as approved, and should they want TIF funds, the demo program could possibly be reimbursed in order to free up funds for future projects.

**CMB LICENSE – DRAGON HOUSE**

Commissioner Jindra moved to approve the CMB license for the Dragon House. Mayor Hattan seconded. Motion carried unanimously.

**MANAGER'S REPORT**

City Manager Uri said he had become aware of subsidizing available for a bond program that the City can apply for, for tax free bonds. These bonds would have a lower interest rate than the market, and the funds can be applied to energy saving projects on City buildings. City Manager Uri said that he had received an "Elmo", an adaptor to an overhead projector to show documents. He was unhappy with the resolution, but will look into an upgraded model. City Manager Uri discussed a community land bank used in Johnson County to acquire blighted property not sold at county tax sales, and the possibility of Concordia doing this.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson asked about flooding at 2<sup>nd</sup> & Kansas. Ron Copple said that the drainage there is inadequate during heavy rainfall. Commissioner Johnson said that members of the recently formed recreation advisory board should have filled out expression of interest forms so that the commission could have seen their qualifications before approving them.

Commissioner Lanoue inquired about the City's red flag policy, to deter identity theft and fraud. City Manager Uri said the City is working on one and it should soon be completed.

Mayor Hattan asked Chad Buckley if the boring machine had been utilized yet. Mr. Buckley said, yes it had, with favorable results. Mayor Hattan asked Sister Rosemarynoski to discuss tomorrow's public forum to be held at the Nazareth Motherhouse, with a topic of poverty and its implications.

**STAFF COMMENTS**

Fire Chief Larry Eubanks said that the tree trimming project is about halfway done, and is going smoothly.

Mayor Hattan asked about the ambulance township agreements, and if they had been refigured. City Manager Uri said it would be done.

**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 Jindra seconded. Motion carried unanimously.

(Seal)

  
\_\_\_\_\_  
Stacey Drum  
City Clerk

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 4, 2009**

The governing body met in regular session on November 4, 2009, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Jindra, Johnson, Lanoue, and Hosie.

Absent: None.

Other Officers: City Manager Uri, Finance Director Farha, and City Clerk Crum.

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

Visitors: Jessica LeDuc, Toby Nosker, Sara Hicks, Bruno Rehbein, Ron Copple, Larry Eubanks, Bruce Johnson, Chad Buckley, Janet Eubanks, Ron Deal, Marvin Copple, Don Lanoue, Bob Burns, Don Dean, Brian Foster.

Pastor Bob Burns gave the invocation, followed by the reciting of the Pledge of Allegiance.

Mayor Hattan asked for changes to the agenda. The Mayor requested an item under old business about flood development project. City Manager Uri moved the north project water line route from the study session to new business.

**APPROVAL OF MINUTES****TABLED**

Commissioner Jindra moved to approve the minutes of the October 21, 2009, meeting. Commissioner Lanoue seconded. Commissioner Johnson requested that more discussion be included in the north development financing discussion. It was decided to table the minutes until the next meeting. Commissioner Jindra withdrew his motion.

**APPROPRIATION ORDINANCE NO. #20****APPROVED**

Commissioner Johnson moved to approve appropriation ordinance #20. Mayor Hattan seconded. Motion carried unanimously.

**PUBLIC COMMENTS**

There were no public comments.

**OLD BUSINESS:****GENERAL OBLIGATION BOND FINANCING**

This is additional information requested by the commission from the last meeting. Commissioner Lanoue asked if Concordia Tractor would be in a position to sign the specials by September 10, 2010. City Manager Uri said yes.

Mayor Hattan affirmed that the City would wait for the bids before procuring the bond.

**FLOOD DEVELOPMENT PROJECT**

Mayor Hattan stated that the funds set aside for economic development would be well spent petitioning legislators for federal funds to build the new dam.

Mayor Hattan moved to send Commissioner Jindra, Commissioner Hosie, and City Manager Uri to Washington D.C. to try to procure funds, to spend up to the \$4000 in the fund. Commissioner Lanoue seconded. Finance Director Farha said that the fund only contained \$2534. Commissioner Hosie interjected that he would be pleased to go but did not feel he would be effective. Mayor Hattan stated he thought he would. Motion carried unanimously.

**NEW BUSINESS:****DRAINAGE STRUCTURE STABILIZATION AGREEMENT****ACCEPTED**

City Manager Uri said that Nowak Construction could begin immediately on the deteriorated dam drainage structure. Two agreements need to be signed. One is for the construction with Nowak, and the second is for the supervision to be done by Campbell & Johnson. 90% of the project qualifies for TIF funds, as 10% lies outside the TIF district.

Commissioner Jindra moved to approve the drainage structure stabilization agreement. Commissioner Johnson seconded. Mayor Hattan said he'd prefer the remaining 10% come from CIP. Commissioner Hosie stated that though this is a much-needed improvement, the threat of flooding is not removed because the structure reduces the size of the drainage. Motion carried unanimously.

The question was raised whether Ron Copple and Bruno Rehbein could do the inspection on this project. Both stated they would not be comfortable with it, and City Manager Uri did not recommend it.

Commissioner Johnson moved to accept the Campbell & Johnson inspection contract, not to exceed \$3500. Commissioner Hosie seconded. Motion carried unanimously.

**CAMPBELL & JOHNSON INSPECTION AGREEMENT – CCCC**

**ACCEPTED**

City Manager Uri stated that if the commission is uneasy with the price tag on this agreement and there are questions about why an inspector is needed on these various projects, they could table the item for this meeting.

Commissioner Johnson asked if BG Consultants, who is doing the water pressure project, had put the inspection of the project in their bid. City Manager Uri said that their representative, Thaniel Monaco, had earlier stated that they had bid accordingly to have the City do their own inspection.

Commissioner Johnson moved to accept the Campbell & Johnson Inspection Agreement not to exceed \$4,400.00. Commissioner Jindra seconded. Motion carried unanimously.

**RED FLAG POLICY RES. 2009-1853**

**PASSED**

City Manager Uri explained that the red flag policy helps with identity theft.

Mayor Hattan said that in his opinion this would include more than just utility accounts, which is what was listed in the policy. It was decided to remove all mention of "utility", to include all accounts and situations within the City.

Commissioner Lanoue said it would be a good idea to make each department head a program administrator, rather than naming the city clerk as the only one. City Manager Uri said there should be just one designated.

Commissioner Hosie moved to accept the red flag policy, resolution 2009-1853, with the stated corrections. Mayor Hattan seconded. Motion carried unanimously.

**CTI DEVELOPMENT AGREEMENT ADDENDUM**

**ACCEPTED**

City Manager Uri said the addendum changes the original agreement, which states that CTI has 60 days to sign various development agreements, including their real estate purchase. The addendum would give them an additional 30 days.

Commissioner Jindra moved to accept the CTI development agreement addendum. Commissioner Hosie seconded. Motion carried unanimously.

**OPPORTUNITY FOR ECONOMIC DEVELOPMENT AD**

Kirk Lowell of CloudCorp said that he had been made aware of an advertising opportunity through he Kansas Department of Commerce. In 2010 the state will be printing a publication, which will be used for the whole year by the Department. Mr. Lowell said that Concordia's page would feature Cloud Ceramics, due to its unique nature in the state, by being Kansas' only brick plant. The charge for a full page is \$5639, and Mr. Lowell was requesting the City contribute half, of \$2818, to be paid with economic development funds. He stated he could get the rest next year through CloudCorp's 2010 budget.

Mayor Hattan said he thought the funds could be better spent sending representatives to Washington D.C. Commissioner Lanoue thought that various county websites could provide needed advertising exposure.

Commissioner Johnson moved to use economic development funds of \$2818. Commissioner Hosie seconded. Motion carried 3-2, with Mayor Hattan and Commissioner Lanoue opposing.

**NORTH PROJECT WATER LINE ROUTE**

Three possible routes were shown to run the water line to the north project. Staff recommends the 2<sup>nd</sup> Street route, which will replace aging infrastructure and be easier to work on, should there be the need. The change will increase the cost of the project by an estimated \$94,215.00, but the total estimated cost will still be less than the previous preliminary engineering estimate. The change will require a change order to the engineering services contract at a cost not to exceed \$1,500.00.

Mayor Hattan moved to authorize the change order. Commissioner Johnson seconded. Motion carried unanimously.

**RESOLUTIONS:**

**2009-1854 529 E. 7<sup>TH</sup> – SET PUBLIC HEARING**

**PASSED**

Bruno Rehbein recommended setting a public hearing for 529 E. 7<sup>th</sup>, recognizing the property as unsafe and dangerous.

Commissioner Jindra moved to approve resolution 2009-1854. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

#### **MANAGER'S REPORT**

City Manager Uri talked about the City's video that is broadcast and online, and the growing interest with the community. City Manager Uri spoke of an upcoming decision by the commission to settle on whether Rolling Hills or Prairieland Electric should get the rights to the north development.

#### **MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson said he would like to see four sets of amended minutes from earlier this year. Commissioner Johnson would also appreciate a police report from the police chief.

Commissioner Hosie asked City Manager Uri if he had asked the Corps what their design for the dam would be. City Manager Uri said that he would get the answer. Commissioner Hosie encouraged the citizens to drive down 7<sup>th</sup> Street and see the results of the recent tree trimming project. Commissioner Hosie also commended Chad Buckley for his idea of the 2<sup>nd</sup> Street water line route.

Commissioner Lanoue said that the commission used to get stats on the police department. Commissioner Lanoue thanked Finance Director Farha for the debt comparisons she provided.

#### **STAFF COMMENTS**

Fire Chief Larry Eubanks and Bruno Rehbein introduced the idea of possibly procuring a generator for City Hall to be used during an emergency. Chief Eubanks also discussed the tree trimming project. Chief Eubanks said he was considering a FEMA grant which would pay for two additional staff members, to give each shift three members. The grant would pay wages over four years, at a declining percentage, at which time the City would be solely responsible for the wages. The commission asked for figures.

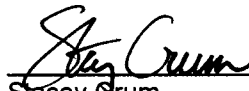
Interim Police Chief Bruce Johnson said that the new patrol vehicle was acquired today. He also stated that \$3000 would be refunded on recently purchased bullet resistant vests.

#### **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

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 18, 2009**

The governing body met in regular session on November 18, 2009, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Jindra, Johnson, Lanoue, and Hosie.

Absent: None.

Other Officers: City Manager Uri, Finance Director Farha, and Deputy City Clerk Hicks.

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

Visitors: Jessica LeDuc, Toby Nosker, Bruce Johnson, Jean Rosemarynoski, Ron Copple, Steve Wetter, Don Lanoue, Ryan Neal, Tom Tuggle, Eric Johnson, Larry Eubanks, Joe Hamel, Marcia Allen, Marvin Copple, Rev. Sandra Moore, Thaniel Monaco, Janet Eubanks, Alan Corbeil, John Alexander, Arlene Clayton.

Rev. Sandra Moore gave the invocation, followed by the reciting of the Pledge of Allegiance.

Mayor Hattan asked for changes to the agenda. City Manager Uri stated there were no changes to the agenda.

**APPROVAL OF MINUTES****APPROVED**

Commissioner Johnson moved to approve the minutes of the October 21, 2009, and the November 4, 2009, meetings. Commissioner Lanoue seconded. Motion Carried unanimously.

**APPROPRIATION ORDINANCE NO. #20****APPROVED**

Commissioner Hosie moved to approve appropriation ordinance #21. Commissioner Johnson seconded. Motion carried unanimously.

**PUBLIC COMMENTS**

Tom Tuggle spoke on the creation of the TIF district and the way it was presented to the public and business owners, the TIF reimbursement for the Shady Lake Development Agreement, and the Home Store Redevelopment Project. Mayor Hattan expressed a different viewpoint on the subject.

Steve Wetter of the Home Store asked the commission if they had any questions or comments about the Home Store redevelopment project. Commissioner Jindra thanked Mr. Wetter for his company's contribution to the project.

Joe Hamel commented on an article in the Blade-Empire regarding the 21<sup>st</sup> Street Dam, and expressed his approval that the City is working toward completing the project.

Kirk Lowell discussed the possibility of financing certain sidewalk and curb and gutter improvements requested in connection with the Homestore TIF project. Mayor Hattan suggested that the city could consider the proposal if additional TIF funding became available as a result of improvements that are being made to other properties in the area.

**PUBLIC HEARING:****CURB AND GUTTER PROJECT**

Ron Copple explained that there were five (5) curb and gutter projects in 2009. The property owners pay for the materials, and the City pays for labor and equipment. Mayor Hattan asked if any property owners were present; there were none. Mayor Hattan moved to close the public hearing. Commissioner Lanoue seconded. Motion carried unanimously.

**OLD BUSINESS:****DISCUSSION ON FLOOD CONTROL PROJECT****PASSED**

City Manager Uri explained that when he and Commissioners Jindra and Hosie go to Washington D.C. to speak on behalf of Concordia's Dam Project, they will discuss two options: financing the project through the Corps of Engineers or financing the project through other federal programs. Mayor Hattan stated that the Corps has requested an answer by December 1, 2009, whether the City can pay the \$200,000 toward the next phase of the study.

The commissioners discussed the recent report of the Corps of Engineers and the options for funding the city's share of the next phase of the Corps study.

Commissioner Johnson moved to comply with the Corps' request to commit to paying \$200,000 toward the next phase of the dam project. Mayor Hattan seconded. Motion carried 4-1, with Commissioner Hosie opposing.

Mayor Hattan moved to pay for the Corps of Engineers study out of the TIF fund and initiate the proper procedure to make it a TIF project. Commissioner Lanoue seconded. Motion passed 3-2, with Commissioners Hosie and Jindra opposing.

**NEW BUSINESS:**

**CORBEIL – 13<sup>TH</sup> STREET**

City Manager Uri explained that Alan Corbeil, with C Properties LLC, had addressed the commission at an earlier date requesting that the City either open and pave 13<sup>th</sup> Street, or close and abandon it. He stated that the staff does not recommend abandonment of the street.

Mr. Corbeil explained that about \$1.9 million has been spent on the properties and improvements in that area. He explained that C Properties has contributed largely toward the development, and has not asked for any tax abatements on the properties, or any other funding. He is now requesting that the City finish paving 13<sup>th</sup> Street.

After a discussion of the alternatives for the project, the commission directed the staff to prepare an estimate of the cost of putting in a gravel street.

**RESOLUTIONS:**

**2009-1855 CTI ANNEXATION**

**APPROVED**

City Manager Uri explained that these resolutions are to initiate the process of annexation for the north development project. The next step is to ask the county to make certain findings with respect to the project, which are the recommendations included with the following three (3) resolutions. Mayor Hattan asked how the tracts of land would be zoned during the annexation. Bruno Rehbein explained that every new property is zoned residential when it comes into the City, unless previously requested to be agricultural.

Commissioner Jindra moved to approve resolution 2009-1855. Mayor Hattan seconded. Motion carried by the following vote:

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

**2009-1856 KDOT ANNEXATION**

**APPROVED**

Commissioner Hosie moved to approve resolution 2009-1856. Commissioner Johnson seconded. Motion carried by the following vote:

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

**2009-1857 CLOUDCORP ANNEXATION TRACT**

**APPROVED**

Commissioner Jindra moved to approve resolution 2009-1857. Mayor Hattan seconded. Motion carried by the following vote:

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

**2009-1858 UNSAFE AND DANGEROUS STRUCTURE AT 319 E. 17<sup>TH</sup>**

**APPROVED**

Commissioner Hosie stated that he would abstain from voting due to a conflict of interest.

Mayor Hattan moved to approve resolution 2009-1858. Commissioner Jindra seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Jindra, Johnson, and Lanoue.  
Nay: None.  
Abstain: Commissioner Hosie.

**ORDINANCES:**

**2009-2983 2009 CURB AND GUTTER PROJECTS**

**APPROVED**

Commissioner Jindra moved to approve ordinance 2009-2983. Commissioner Johnson seconded. Motion carried by the following vote:

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

Nay: None.

#### **EXECUTIVE SESSION:**

Mayor Hattan moved that the commission recess into executive session for twelve (12) minutes for a preliminary discussion for acquisition of real estate, inviting City Manager Uri. Commissioner Jindra seconded. Motion carried by the following vote:

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

Nay: None.

Time: 7:03 p.m.

The commission reconvened at 7:15 p.m.

Mayor Hattan announced there was no binding action taken.

#### **MANAGER'S REPORT**

City Manager Uri said it will be January before the city learns whether it has received a CDBG grant for the Broadway sewer. He also noted that the City has received KDOT's transfer of funds for \$128,730 for the engineering on the north development project. He gave updates on the electric utilities for the north development and on the police chief search.

#### **MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson asked about the status of the Blosser Municipal Airport master plan agreement with HWS Consulting Group. Kirk Lowell said the Board is reviewing the zoning for the airport, and will then submit it into the master plan. The zoning ordinance must go before the Planning Commission before submission into the plan. The preliminary layout had to be approved before the money could be spent on the engineering. The Federal Aviation Administration (FAA) will not fund more than two (2) runways: a main runway and one crosswind runway. Mr. Lowell says the delay in the master plan is due to a difference of opinion on the Airport Advisory Board.

Commissioner Johnson asked about the monthly finance report which showed the police communication fund being 1,662% over budget. Amber Farha explained that the City was originally supposed to receive the full amount of the Governor's Grant for improving police communications for \$88,000, but that they only received \$33,000 of it. Commissioner Lanoue questioned why the money was taken from the 911 fund. Mrs. Farha said she could put all of it into said fund, but that a budget amendment would need to be done. The City had budgeted for receiving the full amount of the grant immediately, then spending the money on improvements. Since the grant money didn't come in, the improvement cost needed to come out of another fund.

Commissioner Hosie said Joe Fakler had notified him that the donated Boy Scout gazebo is nearly complete and ready to be moved to the park. He saw it and was very pleased with it.

Commissioner Lanoue asked why the SRO fees are down. Mrs. Farha said she would check into it. Commissioner Lanoue said the due dates on her utility bills are not the same anymore, meaning the billing process has changed. She believes this has caused a drop in revenue. City Manager Uri said they would check into the reason for changing the billing process. Commissioner Lanoue asked if they were going to receive the sales tax sheets. Mrs. Farha explained that the commission has already received the most recent updated sales tax sheets.

Mayor Hattan commented on the city manager's memo about the minutes from Salina, saying he preferred more commentary in our minutes. The Salina minutes didn't have much detail. He said not a lot of people watch the videos of the meetings or are able to attend them, so there should be sufficient information in them so that the public knows what occurred at the meetings.

#### **STAFF COMMENTS:**

##### **BRUCE JOHNSON – POLICE REPORT**

Bruce Johnson has provided the commission with the crime stats from 2008 up through October 2009. This report showed which crimes were decreasing in frequency, and which crimes were increasing. Commissioner Lanoue asked for more detail in the reports. Mayor Hattan asked why some crimes are reported to the media, and others are not. Interim police Chief Johnson answered that it depended on whether there was an ongoing investigation, if any arrests were made, or other factors. He explained that the general public is



allowed access to page one of the Kansas Standard Offense Report, and that is typically what is reported to the media. This page includes the date, offense, victim and defendant. It does not include details of the case leading up to the arrest. He also explained that the Kansas Bureau of Investigation (KBI) has had recent budget cuts causing a delay in the City's receiving results from evidence submissions.

**CHAD BUCKLEY – NORTH DEVELOPMENT UPDATE ON BOOSTER STATION AND SEWER**

Chad Buckley provided the commission with the engineering design report from BG Consultants, and invited Thaniel Monaco to help answer any questions. Mayor Hattan quoted page one of the report which stated that the City would be supplying water service to the truck stop, CTI and KDOT. He thought the truck stop was not going to be using City services. Mr. Monaco explained that it must be considered as a possibility that the City would supply services to the truck stop, and/or some other entities, such as CloudCorp. Other aspects of the project were discussed.

**LARRY EUBANKS – S.A.F.E.R. PERSONNEL GRANT UPDATE**

Larry Eubanks informed the commission about the S.A.F.E.R. personnel grant which would allow the City to hire a new full time employee, whose compensation, including cost of insurance and base pay, would be paid for by the grant for the first two (2) years. The third year is paid for in full by the City. There was a discussion of the merits of the application, with Mayor Hattan stating he would prefer that the staff continue with the overtime rather than paying another employee.

Commissioner Jindra moved to pursue the S.A.F.E.R. personnel grant. Commissioner Johnson seconded. Commissioner Lanoue echoed Mayor Hattan's statements, saying the street department had been cut three positions and the street department, building inspector and police department were continually asked to do more without additional positions. Motion carried 3-2, with Commissioners Hattan and Lanoue opposing.

**RON COPPLE**

Ron Copple announced that Kansas Wildlife and Parks has approved his request to put the Boy Scout gazebo in the city park. Wildlife and Parks gave the City a grant in the 1970s to pay for the construction of the pool. In accordance with the grant, the City must get permission before doing any improvements to the park.

**BRUNO REHBEIN**

Bruno Rehbein gave an update on the Cedar Street project, saying the sewer should be capped soon, and that Dig Safe has already been called.

**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)

  
Sara Hicks  
Deputy City Clerk

## **MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 2, 2009**

The governing body met in regular session on December 2, 2009, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Jindra, Johnson, Lanoue, and Hosie.

Absent: None.

Other Officers: City Manager Uri, Finance Director Farha, and City Clerk Crum.

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

Visitors: Jessica LeDuc, Toby Nosker, Kirk Lowell, Jean Rosemaryniski, Don Lanoue, Arlene Clayton, Marvin Copple, Ron Deal, Steve Wetter, Terri Ashland, Victoria Ashland, Spence McClellan, Tom Tuggle, Alan Corbeil, John Alexander, Chad Buckley, Larry Eubanks, Ron Copple, Bruce Johnson, Bruno Rehbein.

There was no invocation.

The Pledge of Allegiance was recited.

Mayor Hattan asked for changes to the agenda. City Manager Uri said that materials not included in the packets for the redevelopment agreement under old business were now provided.

### **APPROVAL OF MINUTES**

### **TABLED**

Commissioner Lanoue requested that the reasons she voted nay on the S.A.F.E.R. grant be included in the minutes. She also said that the motion for executive session was fifteen (15) minutes, rather than twelve (12) minutes. City Manager Uri suggested that the approval of minutes be tabled until next meeting, in order for the commission to approve the changes.

### **APPROPRIATION ORDINANCE NO. #22**

### **APPROVED**

City Manager Uri answered Commissioner Johnson's question about the Spirac USA cassette bags, stating they were for the treatment plant compactor. Mayor Hattan asked what nitrile gloves are used for, to which Bruce Johnson answered they aid in avoiding contaminating evidence. Commissioner Johnson said that the \$500 land purchase to Emmet & Paige Rudolph on this appropriation ordinance had not been approved, but was only discussed in executive session. This item was added under new business for approval.

Commissioner Johnson moved to approve appropriation ordinance #22. Mayor Hattan seconded. Motion carried unanimously.

### **PUBLIC COMMENTS**

Arlene Clayton said that though plans for a new hospital had recently been voted down, according to Kansas statutes there are certain duties that the county attorney and the city council (commission) can perform if the need to re-equip a hospital with better equipment should arise.

### **OLD BUSINESS:**

#### **KANSAS LUMBER REDEVELOPMENT AGREEMENT**

Kirk Lowell presented a redevelopment agreement with Kansas Lumber, covering the cost of demolition. Kansas Lumber has already received \$3875.00 through the demo program, leaving a total of \$14,685.00 that is eligible for TIF reimbursement. Ron Copple estimated the cost of sidewalk, driveway and curb and gutter to be \$13,964.50.

The commission had not had ample time to review the documents, and agreed to bring this up at the next meeting for approval.

### **NEW BUSINESS:**

#### **YEAR END FINANCIAL FORECAST & INTEREST ALLOCATION**

Finance Director Farha addressed questions on the 2009 financials. Discussion included interlocal ambulance agreements, the police department shortage of projected grant money, budgeted salaries, and the TIF fund.

Finance Director Farha suggested placing all current interest allocation in debt services. Mayor Hattan said that current interest allocation should be shared between two funds, with bond and interest receiving \$50,000 and the utility fund receiving the remainder. Commissioner Hosie expressed interest in placing future amounts in the CIP fund.

Mayor Hattan moved to assign \$50,000 of the interest allocation to the bond & interest fund, with the remainder to the utility fund. Commissioner Lanoue seconded. Motion carried unanimously.

Mayor Hattan moved to assign future interest allocation to the general, bond & interest, utility, and TIF funds. Commissioner Lanoue seconded. Motion carried unanimously.

### **2009 BUDGET AMENDMENT**

Finance Director Farha said that 911 equipment was purchased and all projected grant money was not received to cover the expense; initially this extra expense was recorded to the police department. The expense was then correctly moved to the emergency telephone fund which caused that fund to go over budget. The budget amendment increases budget authority in the emergency telephone fund to cover this unexpected expense, with the money for the expense coming from unencumbered cash.

Mayor Hattan moved to approve the 2009 budget amendment for publication. Commissioner Lanoue seconded. Motion carried unanimously.

### **COMMISSION MEETING MINUTES DISCUSSION**

Discussion on minutes was included on this agenda because Commissioner Johnson had given handwritten changes of the minutes of three meetings, February 4, February 18 and July 5, to City Clerk Crum. Commissioner Johnson's concern stemmed mainly from amended minutes which he said did not reflect his original request for a change. Commissioner Hosie said he did not agree with making changes several months later.

It was determined that the February 18 video be viewed, and in the future corrected copies be made available at the next meeting after approval.

### **LAND PURCHASE**

Property needed to be acquired to accommodate the new drainage going in at the dam.

Mayor Hattan moved to approve the purchase of land from the Rudolph's for \$500. Commissioner Johnson seconded. Motion carried unanimously.

### **RESOLUTIONS:**

#### **2009-1859 NON-CLASSIFIED EMPLOYEE PAY PLAN**

#### **2009-1860 CLASSIFIED EMPLOYEE PAY PLAN**

**FAILED**

The following resolutions would approve a 3% cost of living increase for all City employees. Mayor Hattan asked if a comparison study had been made of comparably sized cities, which it has not. Amber Farha provided the figure reflecting the 3% COLA on all employees' wages, which would amount to an increase in salaries of approximately \$81,000. Commissioner Lanoue suggested a 3% COLA on the base rather than actual salary. Mayor Hattan stated that so far the year end looked pretty good, but would prefer waiting until the next meeting to address this issue, so that the commission could see Finance Director Farha's financial reports to get a more complete picture of the year end figures.

Commissioner Hosie moved to approve resolution 2009-1859. Commissioner Jindra seconded. Mayor Hattan repeated that he'd prefer addressing this matter at the next meeting, when the city has more complete data on its financial condition. Motion failed by the following vote:

Aye: Commissioners Jindra and Hosie.

Nay: Commissioners Hattan, Johnson and Lanoue.

Mayor Hattan said that this did not end the discussion; this would be revisited on December 16.

### **MANAGER'S REPORT**

City Manager Uri said that construction had begun on the drainage ditch at the dam. He also informed the commission that the County had approved resolutions on the annexation on the north development properties. He reminded the commission of the employee Christmas dinner, and to get their reservations in. City Manager Uri talked about two missing City weed eaters and that this matter had been turned over to law enforcement. There was discussion on meetings with bond counsel and upcoming TIF projects, and the funding of such.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson asked about BG Consultant's invoice, and why we were paying them for Campbell & Johnson's services. City Manager Uri said that BG Consultants had hired Campbell & Johnson, and that we weren't paying them twice for the same work.

Mayor Hattan praised Finance Director Farha and all the department heads and said the City was in better shape financially than a year ago.

Commissioner Jindra said that so far, we had collected 95.88% of 2008 sales tax and reminded everyone that last year was a peak year with the wind farm in production. From 2007, we are up 11%.

**STAFF COMMENTS**

Bruce Johnson presented an example of a standard offense report and answered questions on why more information could not be provided to the public.

Ron Copple presented an estimate on putting in a gravel road on 13<sup>th</sup> St., between McCune and L St., to benefit the properties being constructed and sold by C Properties LLC. The cost of materials was estimated at \$28,970.70. Chad Buckley presented estimates for the sewer and water line costs of \$17,886.


Mayor Hattan stated his previous position that this should be a special assessment, with the City putting in the intersection, as was done with other properties around town the last several years. Alan Corbeil of C Properties asked if these businesses pay taxes, and said that these properties generally have tax abatements. With a total cost of \$46,856.70, Mr. Corbeil said that the City would recoup the cost in three years of taxes. Mr. Corbeil ended by stating he no longer was requesting the street work, and asked that the street be vacated.

City Manager Uri echoed Mayor Hattan's praise of the department heads, and said an excellent staff was in place.

**ADJOURN**

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

(Seal)

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

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 16, 2009**

The governing body met in regular session on December 16, 2009, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Jindra, Johnson, Lanoue, and Hosie.

Absent: None.

Other Officers: City Manager Uri, Finance Director Farha, and City Clerk Crum.

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

Visitors: Jessica LeDuc, Toby Nosker, Mary Jo Thummel, Ron Deal, Kirk Lowell, Steve Wetter, Marvin Copple, Jason Grogan, Marcia Allen, Ken Johnson, Thaniel Monaco, Don Lanoue, Janet Eubanks, Janet Lowell, Arlene Clayton, Sara Hicks, Bob Maxson, Ken Johnson, Chad Buckley, Larry Eubanks, Ron Copple, Bruce Johnson, Bruno Rehbein.

Rev. Jason Grogan gave the invocation, followed by the reciting of the Pledge of Allegiance.

Mayor Hattan asked for changes to the agenda. City Manager Uri added an item to new business, 5<sup>th</sup> Street Bids.

**APPROVAL OF MINUTES****APPROVED**

Commissioner Johnson moved to approve the minutes of the November 18, 2009, meeting. Commissioner Lanoue seconded. Motion carried unanimously.

Mayor Hattan moved to approve the minutes of the December 2, 2009, meeting. Commissioner Johnson seconded. Motion carried unanimously.

**APPROPRIATION ORDINANCE NO. #22****APPROVED**

Commissioner Johnson inquired what we were receiving for our money on the annual 911 maintenance. City Manager Uri promised to look into it.

Commissioner Lanoue moved to approve appropriation ordinance #23, along with the December 31, 2009, encumbrance list. Mayor Hattan seconded. Motion carried unanimously.

**PUBLIC HEARING:****2009 BUDGET AMENDMENT****HELD**

Mayor Hattan moved to close the public hearing on the 2009 budget amendment. Commissioner Lanoue seconded. Motion carried unanimously.

**529 E. 7<sup>TH</sup> UNSAFE AND DANGEROUS****HELD**

Bruno Rehbein said the owner had not responded to the certified letter, although he had received it.

Mayor Hattan moved to close the public hearing on 529 E. 7<sup>th</sup>. Commissioner Lanoue seconded. Motion carried unanimously.

**PUBLIC COMMENTS**

There were no public comments.

**APPOINTMENTS****SHERRI RADCLIFFE**

City Manager Uri said that since former Police Chief Danny Parker had resigned, there has been no one representing the City on the JJRA advisory board. In her letter of recommendation, Ellen Anderson, Agency Director, said that Sherri Radcliffe has been serving since the inception of the board, and recommended that Ms. Radcliffe be appointed to represent the City.

Commissioner Hosie moved to appoint Sherri Radcliffe to the community corrections JJRA advisory board. Commissioner Johnson seconded. Motion carried unanimously.

**OLD BUSINESS:****KANSAS LUMBER REDEVELOPMENT AGREEMENT****APPROVED**

City Manager Uri said that the original agreement committed the City to spend an amount equal to the estimated increment from the additional improvements. The amendment up for a vote tonight does not

commit the City but identifies that the improvements could be undertaken. There is an estimated cost of \$23,680.35 in the agreement.

Mayor Hattan inquired why the City should pay for seeding and mulch when there was no irrigation at the property. Discussion included the possibility of paving the area to avoid mowing and having an onslaught of weeds without proper irrigation.

Commissioner Hosie moved to approve the Kansas Lumber redevelopment agreement. Commissioner Jindra seconded. Motion carried unanimously.

#### **REVISION OF MINUTES**

Minutes of the February 18 meeting reflecting corrections requested by Commissioner Johnson will be presented to the commission at the January 6 meeting.

#### **NEW BUSINESS:**

#### **AFFIRMATION OF EXEMPT PROPERTY STATUS FOR IRB CERTIFICATES**      **APPROVED**

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 Johnson asked if this was ever checked. City Manager Uri said that we rely on the businesses giving us the correct information.

Commissioner Jindra 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**      **APPROVED**

City Manager Uri explained that this names all local banks as depositories where the City may invest its funds. Commissioner Johnson asked if the City ever changes the banks where we have our cash accounts. City Manager Uri said that we could bid the checking account.

Commissioner Jindra moved to approve Citizens National Bank, Central National Bank, United Bank & Trust, Peoples Exchange Bank, and Elk State Bank as official depositories for 2010. Commissioner Lanoue seconded. Motion carried unanimously.

#### **CLOUDCORP 2010 FUNDING AGREEMENT**      **APPROVED**

Kirk Lowell requested \$50,000 of City support for 2010, the same amount as 2009. He presented a recently passed resolution from the County in which they designate the county as a recovery zone.

Commissioner Jindra moved to accept the CloudCorp 2010 funding agreement. Commissioner Hosie seconded. Motion carried unanimously.

#### **EMERGENCY GENERATOR HOOKUPS**      **APPROVED**

Larry Eubanks presented a bid from Hood's for \$7454 to install hookups at City Hall for installing a 60kw generator should the need arise in an emergency situation. The bid does not include a generator, which Mr. Eubanks said could be procured from Kansas Emergency Management. Discussion included the City's base of operations in an emergency. Both Mayor Hattan and Commissioner Lanoue felt that there were other City locations with generators, including the police department.

Commissioner Johnson moved to accept the bid from Hood's for \$7454 to install hookups to accommodate a 60kw generator. Commissioner Jindra seconded. Motion carried 3-2, with Mayor Hattan and Commissioner Lanoue opposing.

#### **2010 CMB LICENSES**      **APPROVED**

The following CMB licenses were up for renewal: Wood Oil, Casey's, Short Stop, Wal-Mart, Rod's Food Store, Club 76, Gambino's Pizza, Country Honky Tonk, Thunder Strikez, and Pizza Hut.

Mayor Hattan moved to approve the 2010 CMB licenses. Commissioner Lanoue seconded. Motion carried unanimously.

#### **EXTENSION OF CITY ENGINEER CONTRACT**      **APPROVED**

City Manager Uri said that last year's agreement with Campbell & Johnson allowed for an extension of one year without changes, and recommended the commission extend the contract.

Commissioner Lanoue moved to authorize the mayor to sign the city engineer contract extension. Commissioner Jindra seconded. Motion carried unanimously.

#### **KANSAS BOARD OF EMS GRANT APPLICATION**

Larry Eubanks said that a 50/50 grant was available to purchase a new power cot. The City's share would be \$5,982.50.

Commissioner Lanoue moved to authorize the appropriate official to sign the grant application with funding coming from the 2010 budget if it is awarded. Commissioner Johnson seconded. Motion carried unanimously.

**ADDENDUM TO CONCORDIA TRACTOR DEVELOPMENT AGREEMENT** **APPROVED**

City Manager Uri said the original agreement stated that within 60 days after signed, CTI would have consented to annexation, signed a contract with the contractor to build the facility, presented the IRB application to the City, and presented their application for special assessment funding of \$500,000 for the water and sewer. The deadline has been extended once. CTI is asking for a second.

Commissioner Jindra moved to approve the addendum to the Concordia Tractor development agreement. Mayor Hattan seconded. Motion carried unanimously.

**5<sup>TH</sup> STREET BIDS** **TABLED**

Ron Copple said that KDOT had received five bids for this project, with Wrench Construction coming in with the lowest bid of 850,982.72, of which the state will contribute \$425,283.00. The engineer's original estimate for the project had been \$450,283.00, with a second estimate in November of \$650,000.00. Wrench Construction is \$40,000 over the state's original estimate. After the engineering contract of \$94,956.94, the City's share will be \$520,656.66. Mr. Copple's recommendation was using CIP funds, and cut some projects for next year including street overlays. Mayor Hattan asked if TIF money could be spent on this. He suggested that Finance Director Farha list pending obligations and possible resources available to fund this project before any decisions are made. There was concern that the bids came in so much higher than the original engineer's bid. Ken Johnson answered that findings on the soil underneath greatly increased the cost, and the State added almost \$150,000 for trafficking, due to the unavailability of alternate routes during construction. The State has not checked the bid numbers yet, but is asking for a verbal commitment to the project within a few days.

Mayor Hattan moved to table the 5<sup>th</sup> Street bids until City staff could prepare the necessary reports to make a decision. Commissioner Hosie seconded. Motion carried unanimously.

**RESOLUTIONS:**

**2009-1859 NON-CLASSIFIED EMPLOYEE PAY PLAN** **PASSED**

The resolution includes all salaried department heads, to receive a 3% cost of living increase for 2010. Commissioner Lanoue said a salary comparison should be done, as she felt that \$69,000 is too high for a department head. City Manager Uri promised to see about doing a salary comparison.

Mayor Hattan moved to approve resolution 2009-1859. Commissioner Jindra seconded. Motion carried by the following vote:

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

Nay: None.

**2009-1860 CLASSIFIED EMPLOYEE PAY PLAN** **PASSED**

The resolution includes all hourly fulltime employees, to receive a 3% cost of living increase for 2010. The most updated financial information had been presented to the Commissioners as requested, in order to make an educated decision. City Manager Uri said that the pay scale had been modified, to include employees who have reached the end of the scale with no room for a wage increase.

Mayor Hattan moved to approve resolution 2009-1860 including the revised pay scale. Commissioner Jindra seconded. Motion carried by the following vote:

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

Nay: None.

**2009-1861 WAIVER OF GAAP** **PASSED**

This is an annual resolution to waive generally accepted accounting principles (GAAP).

Mayor Hattan moved to approve resolution 2009-1861. Commissioner Jindra seconded. Motion carried by the following vote:

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

Nay: None.

**2009-1862 AUTHORIZED SIGNERS** **PASSED**

City Manager Uri said the resolution authorizes the City Manager, City Clerk, and Finance Director as check signers.

Commissioner Jindra moved to approve resolution 2009-1862. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

**2009-1863 529 E. 7<sup>TH</sup> UNSAFE AND DANGEROUS**

**PASSED**

The resolution declares the property at 529 E. 7<sup>th</sup> as unsafe and dangerous and ordered repaired or demolished.

Mayor Hattan moved to approve resolution 2009-1863. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

**ORDINANCES:**

**2009-2984 COURT COSTS**

**PASSED**

City Manager Uri said the ordinance will raise court costs to be in line with other cities. The initiative was taken by Sara Hicks, the court clerk, and the previous assistant city attorney, Erin Riffey, to investigate the fees. A new item in the ordinance is a fee for expungements.

Commissioner Jindra moved to approve ordinance 2009-2984. Commissioner Lanoue seconded. Commissioner Hosie said that time should be taken to discuss the ordinance, as fees could be higher than the fines. Commissioner Hosie wondered if the new fees were merely generating revenue for the city, and was concerned that those guilty would pay less for expungements than those who were found not guilty.

Commissioner Hosie moved to table ordinance 2009-2984. Commissioner Johnson seconded. Motion failed by the following vote:

Aye: Commissioners Johnson and Hosie.

Nay: Commissioners Hattan, Jindra and Lanoue.

The vote was then taken on the original motion to approve ordinance 2009-2984. Motion carried by the following vote:

Aye: Commissioners Hattan, Jindra and Lanoue.

Nay: Commissioners Johnson and Hosie.

**2009 BUDGET AMENDMENT**

Commissioner Lanoue stated that the budget amendment should have been approved during the earlier public hearing.

Mayor Hattan moved to approve the 2009 budget amendment. Commissioner Lanoue seconded. Motion carried unanimously.

**EXECUTIVE SESSION – PRELIMINARY DISCUSSION FOR ACQUISITION OF REAL ESTATE    HELD**

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for preliminary discussion for acquisition of real estate. Inviting: Interim City Manager Uri and Ken Johnson. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:46 p.m.

The commission reconvened at 6:56 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 ten (10) minutes for non-



elected personnel. Inviting: Interim City Manager Uri. Commissioner Jindra seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:56 p.m.

The commission reconvened at 7:06 p.m.

Mayor Hattan announced there was no binding action taken.

#### **MANAGER'S REPORT**

City Manager Uri talked about a water quality test that staff does six times a month. During a recent test, coliform bacteria were found. A second test at the same location also revealed the bacteria. Chad Buckley explained that the third test was performed inside the residence, and that test was negative. However, due to state regulations, the community must be notified of the earlier findings.

City Manager Uri provided documentation from the inception of the TIF district that showed the Broadway sewer could be funded through TIF. He also discussed the possibility of diverting some flow from this sewer, which is currently running at nearly 100% capacity, to another lower usage sewer, at a considerable savings. Currently, the City is waiting to hear on a CDBG grant, which has a 50/50 match at a cost to the City of approximately \$400,000. The diversion would cost approximately \$50,000. City Manager Uri told the commission that regardless of cost, the project needs to be a top concern for 2010 and must be done.

Ken Johnson then showed a map of both of these sewer lines. He said that after consideration, diverting the flow would not be feasible as this would overload the sewer. This would put nearly two-thirds of the City's flow into one sewer line. Also, this would strain an already aging sewer line and eventually this would have to be replaced.

#### **MAYOR/COMMISSIONER COMMENTS AND REPORTS**

There were no comments.

#### **STAFF COMMENTS**


Ron Copple gave a report on the recent snowstorm, including 895 miles of streets that were plowed and 768 loads of snow hauled away. With wages, the total cost of the storm was \$20,400. Mr. Copple thanked Cloud Ceramics for furnishing trucks and helping to haul snow. He also noted that the water department had helped in the snow removal.

#### **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 Jindra seconded. Motion carried unanimously.

(Seal)

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

MINUTES OF THE SPECIAL CALL COMMISSION MEETING HELD DECEMBER 21, 2009

The governing body met in special call meeting for discussion of the 5<sup>th</sup> Street project on December 21, 2009, at 7:30 a.m., in the City Commission room in the City Hall, the following members being present and participating, to wit: Commissioners Hattan, Hosie, Johnson and Lanoue.

Absent: Commissioner Jindra.

Other Officers: City Clerk Crum and Finance Director Farha.

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

Visitors: Bruce Johnson, Larry Eubanks, Chad Buckley, Ron Copple.

CALL FOR SPECIAL CITY COMMISSION MEETING  
CITY OF CONCORDIA, KANSAS

TO THE BOARD OF CITY COMMISSIONERS:

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

Place: City Commission Room, City Hall, Concordia, Kansas  
Date: December 21, 2009  
Time: 7:30 o'clock a.m.

The object of said meeting will be as follows:

- 1. Call to Order
- 2. 5<sup>th</sup> Street Project
- 3. Adjournment

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

\_\_\_\_\_  
GREG HATTAN  
COMMISSIONER

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

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

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

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

TO: Greg Hattan, 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 to be held as follows:

Place: City Commission Room, City Hall, Concordia, Kansas  
Date: December 21, 2009  
Time: 7:30 o'clock a.m.

The object of said meeting will be as follows:

1. Call to Order
2. 5<sup>th</sup> Street Project
3. Adjournment

(Seal)

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

You are hereby directed to serve the above notice at once personally upon Commissioner (s) Greg Hattan, 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 18th day of December, 2009, and to make a return in writing of said service, showing the manner of such service.

\_\_\_\_\_  
Stacey Crum  
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 2:25 o'clock p.m., December 18, 2009 (Greg Hattan); 1:10 o'clock p.m., December 18, 2009 (Darrel Hosie); 3:20 o'clock p.m., December 18, 2009 (Charles Johnson); 3:14 o'clock p.m., December 18, 2009 (Joe Jindra); and 3:15 o'clock p.m., December 18, 2009 (Cheryl Lanoue).

1. Served the same personally on Greg Hattan. /s/ Stacey Crum.
2. Served the same personally on Darrel Hosie. /s/ Stacey Crum.
3. Served the same at residence on Charles Johnson. /s/ Andrew Allen.
4. Served the same personally on Joe Jindra. /s/ Megan Murdock.
4. Served the same personally on Don Lanoue. /s/ Andrew Allen.

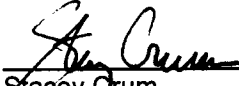
There was discussion on the bids the State has received for the 5<sup>th</sup> Street project. Wrench Construction was the low bidder at \$850,982.72. With an engineering contract of \$94,956.94, the total project cost is \$945,939.66. Stimulus money to be received is \$425,283.00, leaving the cost to the City of \$520,656.66. Ron Copple stated that, although the bids came in considerably higher than the engineer's original estimate, Wrench Construction's bid was only \$40,000 higher than the State's estimate.

Finance Director Farha prepared reports based on staff's recommendation on how to fund this project.

At this point, the State needs verbal confirmation that the City would like to pursue receiving the stimulus money for the project. The State has not checked the bid figures yet. After this is done, a contract will be sent, allowing the commission to then vote if they would like to go forward with the project.

Commissioner Johnson moved to ask for the State to tabulate the bids and return them. Commissioner Lanoue seconded. Motion carried 3-1, with Commissioner Hosie opposing.

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

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

(Seal)