

**MINUTES  
CITY COMMISSION MEETING  
CITY HALL, 701 WASHINGTON**

Wednesday, January 21, 2015

5:30 p.m.

The governing body met in regular session on January 21, 2015, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Wentz, Parker, Johnson, Pounds, and Hasch.

Absent: None.

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

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

Visitors: Jessica LeDuc, Toby Nosker, Richard Vickers, Ashley Hutchinson, Don Dean, Richard Meyer, Sarah Rothfuss.

Staff present: Chad Buckley, Utilities Director; Bruno Rehbein, Building Inspector; Ron Cople, Public Works Director; Bruce Johnson, Police Chief.

There was no invocation. The Pledge of Allegiance was recited.

**APPROVAL OF MINUTES**

**APPROVED**

Commissioner Pounds moved to approve the minutes of the January 7, 2015, meeting. Commissioner Johnson seconded. Motion carried unanimously.

**MERITORIOUS SERVICE AWARD TO OFFICER RICHARD VICKERS**

Bruce Johnson presented the award to Officer Vickers.

"Awarded for a highly unusual accomplishment under adverse conditions with some degree of hazard to life or limb to the officer or where death or injury to a third party is prevented.

"On the evening of December 9, 2014, Officer Richard Vickers and Sgt. Ric Fredrickson were dispatched to a report of a stalker. Officer Vickers arrived first. When Officer Vickers arrived he exited his patrol car as the suspect got out of his car. The suspect had a handgun and did point it at Officer Vickers. Officers Vickers took defensive measures by using his patrol car for cover while trying to get the suspect to put his weapon down and surrender. The suspect moved to the porch of a residence and Officer Vickers repositioned himself behind a tree while continuing to negotiate with the suspect. Det. Sgt. Anderson deployed a less lethal device and the suspect then dropped his handgun. Officer Vickers and other officers closed on the suspect. Officer Vickers secured the pistol and the suspect was placed under arrest. Officer Vickers used tact, professional knowledge and sound judgment to contain this situation. Officer Vickers is awarded the medal for Meritorious Service.

"Grand Cordon - Also referred to as the Department Citation. This is awarded to a group of officers cited for a specific action.

"Receiving the Grand Cordon Award for their assistance are Sgt. Ric Fredrickson, Det. Sgt. Devin Anderson, Officer Marc Henry, Tactical Medic Charles Nondorf and Tactical Medic Eric Voss.

"I would like to thank Deputy Sheriff Kirk Bar, Deputy Sheriff James Belden, and State Wildlife Officer Todd Robinson for their assistance with this call."

**APPROPRIATION ORDINANCE #1**

**APPROVED**

Answers to questions asked: The New Directions payment was for the company hired to administer the employee assistance program. USTI is a monthly fee. In answer to whether other counties supported the Small Business Development Center, it was answered that its main support is from Concordia, Cloud County, and Wichita State University. The Mueller payment was for annual maintenance for meter reading.

Commissioner Parker moved to approve appropriation ordinance #1. Commissioner Hasch seconded. Motion carried unanimously.

**PUBLIC COMMENTS**

Ashley Hutchinson passed along an invitation from the owners of the new salon, Urban Couture, housed in the new storefront at the old West Side Inn, to an open house this Saturday.

**PUBLIC HEARING:**

**UNSAFE & DANGEROUS – 129 W. 2ND**

**HELD**

Mayor Wentz opened the public hearing.

The structure has been unoccupied for many years, and has started to collapse.

Mayor Wentz closed the public hearing.

**UNSAFE & DANGEROUS – 206 KANSAS**

**HELD**

Mayor Wentz opened the public hearing.

The owner may be interested in getting this property on the demo program.

Mayor Wentz closed the public hearing.

**UNSAFE & DANGEROUS – 233 W. 3RD**

**HELD**

Mayor Wentz opened the public hearing.

The owner of the property is deceased, with no other owners known. The house has been vacant for years, and the taxes not paid since 2010.

Mayor Wentz closed the public hearing.

**UNSAFE & DANGEROUS – 301 E. 1ST**

**HELD**

Mayor Wentz opened the public hearing.

The property is a mobile home. It hasn't been occupied for at least fifteen years, and the taxes are delinquent.

Mayor Wentz closed the public hearing.

**UNSAFE & DANGEROUS – 427 E. 15TH**

**HELD**

Mayor Wentz opened the public hearing.

This property has been a nuisance abatement for several years. It hasn't been occupied for over fifteen years, though the taxes are current.

Mayor Wentz closed the public hearing.

**UNSAFE & DANGEROUS – 513 KANSAS**

**HELD**

Mayor Wentz opened the public hearing.

The owner, Richard Meyer, spoke, saying he would like more time to get the property in order. He said the interior, wiring and plumbing were all good, and the home has been appraised for around \$20,000. He asked for 90-120 days to commence work.

Mayor Wentz closed the public hearing.

**NEW BUSINESS:**

**SEWER BACKUPS**

Claims were presented for damage caused by sewer backups at the Chad Eshbaugh residence, 216 W 19th, in the amount of \$3,500.00, at the Marty Tatum residence, 1805 Broadway, in an unspecified amount, and at the Esther Myers residence, 1705 Broadway, in the amount of approximately \$500. The City's insurer denied the claims, finding no liability on the part of the City. The property owners spoke at the last study session, asking the City to pay the claims. The city staff presented video of the sewer lines and City manager Uri stated his opinion that the City was not liable because the camera inspection did not show defects in the sewer.

City Manager Uri advised that the claims could be allowed or denied, as the commission saw fit. Commissioner Pounds said the City had recently saved \$50,000 switching insurers, and felt we could afford the claims. Commissioner Pounds made the motion to reimburse the Eshbaughs for \$3500, the Tatums for their deductible, and Mrs. Myers for \$500. Commissioner Parker seconded. Discussion continued, with

Commissioners Johnson, Hasch, and Wentz stating others had filed claims but had not been paid, and by paying these claims, a precedent would be set. Mayor Wentz called for a vote, which failed 1-4, with Commissioner Pounds the only yes vote.

**DEMO PROGRAM APPLICATION 319 E. 11TH ST.**

**APPROVED**

Bruno Rehbein presented the request to put 319 E. 11th St. on the demo program. The owners want to keep the garage that sits near the house.

Commissioner Johnson moved to accept 319 E. 11th into the demo program based on the low bid from Snell Contracting for \$4,300.00. Commissioner Parker seconded. Motion carried unanimously.

**DOWNTOWN WATER LINE AGREEMENT**

**APPROVED**

Chad Buckley said this project continues the replacement of lines as the budget allows. He noted that downtown has more potential of damage with breaks.

Commissioner Parker moved to approve the agreement with Campbell & Johnson for the downtown water line replacement for \$29,800.00. Commissioner Hasch seconded. Motion carried unanimously.

**CHAMBER DIRECTOR/EVENTS COORDINATOR**

The current Chamber director, Sarah Rothfuss, will be leaving in March. The decision has been made that the position should be fulltime, with a large share of the duties being to schedule and coordinate events in the downtown area, including the new Broadway Plaza. City Manager Uri asked for \$15,000 from the City for the salary for the next two years. Continuation of the position will hinge on the successful use of Broadway Plaza, which should draw people downtown and increase revenues.

Commissioner Parker moved to authorize payment of \$15,000.00 per year for the next two years to supplement the salary of the Chamber of Commerce director so as to make the position fulltime. Commissioner Hasch seconded. Motion carried unanimously.

**PAWNEE MENTAL HEALTH IRB RETIREMENT**

**APPROVED**

Industrial revenue bonds were issued in 1999 for Pawnee Mental Health, at which time the location was deeded to the City. Pawnee has now paid off the bonds, and wishes the property deeded back for the sum of \$100.

Commissioner Hasch moved to approve the warranty deed with Pawnee Mental Health Center. Commissioner Pounds seconded. Motion carried unanimously.

**AIR-O-LATOR MIXER PURCHASE**

**APPROVED**

It has been determined during an inspection that a mixer at the treatment plant needs replacing. Chad Buckley said it is about ten years old and at the end of its useful life. He received an estimate for a like mixer, for \$13,200.00.

Commissioner Pounds moved to approve the purchase of the Air-O-Lator mixer from the Ray Lindsey Company for \$13,200.00, plus shipping. Commissioner Parker seconded. Motion carried unanimously.

**ORDINANCES:**

**2015-3091 CITYCODE FINANCIAL – CODE UPDATE**

**PASSED**

Thereupon, there was presented an Ordinance entitled:

**AN ORDINANCE ADOPTING THE CODIFICATION OF ORDINANCES OF THE CITY OF CONCORDIA, KANSAS, PROVIDING FOR THE REPEAL OF CERTAIN OTHER ORDINANCES NOT INCLUDED THEREIN, EXCEPTING CERTAIN ORDINANCES FROM REPEAL AND SAVING CERTAIN ACCRUED RIGHTS AND LIABILITIES.**

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

Yea: Commissioners Wentz, Parker, Johnson, Pounds, and Hasch.

Nay: None.

Thereupon, the Mayor declared said Ordinance duly passed and the Ordinance was then duly numbered Ordinance No. 2015-3091, was signed by the Mayor and attested by the Clerk and was directed to be published one time in the official newspaper of the City.

**RESOLUTIONS:**

**2015-2012 UNSAFE & DANGEROUS – 129 W. 2ND**

**PASSED**

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

**WHEREAS, THE ENFORCING OFFICER PURSUANT TO K.S.A. 12-1750 ET SEQ., AS PROVIDED BY SECTION 6-101 OF THE CODE OF ORDINANCES OF THE CITY OF CONCORDIA, KANSAS, HAS INFORMED THE GOVERNING BODY THAT IN HIS OPINION THE FOLLOWING STRUCTURE IS UNSAFE AND DANGEROUS:**

Thereupon on motion of Commissioner Parker, seconded by Commissioner Hasch, the Resolution was adopted by the following roll call vote:

Aye: Commissioners Wentz, Parker, Johnson, Pounds, and Hasch.

Nay: None.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2015-2012 was signed and approved by the Mayor and attested by the Clerk.

**2015-2013 UNSAFE & DANGEROUS – 206 KANSAS**

**PASSED**

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

**WHEREAS, THE ENFORCING OFFICER PURSUANT TO K.S.A. 12-1750 ET SEQ., AS PROVIDED BY SECTION 6-101 OF THE CODE OF ORDINANCES OF THE CITY OF CONCORDIA, KANSAS, HAS INFORMED THE GOVERNING BODY THAT IN HIS OPINION THE FOLLOWING STRUCTURE IS UNSAFE AND DANGEROUS:**

Thereupon on motion of Commissioner Hasch, seconded by Commissioner Parker, the Resolution was adopted by the following roll call vote:

Aye: Commissioners Wentz, Parker, Johnson, Pounds, and Hasch.

Nay: None.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2015-2013 was signed and approved by the Mayor and attested by the Clerk.

**2015-2014 UNSAFE & DANGEROUS – 233 W. 3RD**

**PASSED**

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

**WHEREAS, THE ENFORCING OFFICER PURSUANT TO K.S.A. 12-1750 ET SEQ., AS PROVIDED BY SECTION 6-101 OF THE CODE OF ORDINANCES OF THE CITY OF CONCORDIA, KANSAS, HAS INFORMED THE GOVERNING BODY THAT IN HIS OPINION THE FOLLOWING STRUCTURE IS UNSAFE AND DANGEROUS:**

Thereupon on motion of Commissioner Johnson, seconded by Commissioner Parker, the Resolution was adopted by the following roll call vote:

Aye: Commissioners Wentz, Parker, Johnson, Pounds, and Hasch.

Nay: None.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2015-2014 was signed and approved by the Mayor and attested by the Clerk.

**2015-2015 UNSAFE & DANGEROUS – 301 E. 1ST**

**PASSED**

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

**WHEREAS, THE ENFORCING OFFICER PURSUANT TO K.S.A. 12-1750 ET SEQ., AS PROVIDED BY SECTION 6-101 OF THE CODE OF ORDINANCES OF THE CITY OF CONCORDIA, KANSAS, HAS INFORMED THE GOVERNING BODY THAT IN HIS OPINION THE FOLLOWING STRUCTURE IS UNSAFE AND DANGEROUS:**

Thereupon on motion of Commissioner Parker, seconded by Commissioner Pounds, the Resolution was adopted by the following roll call vote:

Aye: Commissioners Wentz, Parker, Johnson, Pounds, and Hasch.

Nay: None.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2015-2015 was signed and approved by the Mayor and attested by the Clerk.

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

**WHEREAS, THE ENFORCING OFFICER PURSUANT TO K.S.A. 12-1750 ET SEQ., AS PROVIDED BY SECTION 6-101 OF THE CODE OF ORDINANCES OF THE CITY OF CONCORDIA, KANSAS, HAS INFORMED THE GOVERNING BODY THAT IN HIS OPINION THE FOLLOWING STRUCTURE IS UNSAFE AND DANGEROUS:**

Thereupon on motion of Commissioner Hasch, seconded by Commissioner Pounds, the Resolution was adopted by the following roll call vote:

Aye: Commissioners Wentz, Parker, Johnson, Pounds, and Hasch.

Nay: None.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2015-2016 was signed and approved by the Mayor and attested by the Clerk.

**2015-2017 UNSAFE & DANGEROUS – 513 KANSAS**

**PASSED**

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

**WHEREAS, THE ENFORCING OFFICER PURSUANT TO K.S.A. 12-1750 ET SEQ., AS PROVIDED BY SECTION 6-101 OF THE CODE OF ORDINANCES OF THE CITY OF CONCORDIA, KANSAS, HAS INFORMED THE GOVERNING BODY THAT IN HIS OPINION THE FOLLOWING STRUCTURE IS UNSAFE AND DANGEROUS:**

Time to commence work on the structure changed from 30 days to 120 days.

Thereupon on motion of Commissioner Parker, seconded by Commissioner Johnson, the Resolution was adopted by the following roll call vote:

Aye: Commissioners Wentz, Parker, Johnson, Pounds, and Hasch.

Nay: None.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2015-2017 was signed and approved by the Mayor and attested by the Clerk.

**MANAGER'S REPORT**

City Manager Uri said the tree shredder is at the Plum Road dam site. He discussed the recent remodeling at City Hall, with a new office being built for the finance director and the front office being secured. City Manager Uri attended a Kansas broadband conference this week. He thanked Chad Buckley for his years of service with the City.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Pounds received an update on the abandoned cars at the old greenhouse property, and of the Wells Fargo property recently deeded to the City.

Commissioner Johnson prompted discussion about parking and entry to the old Jammers and Taco Grande properties, which are accessed by driving across the Alco parking lot.

Mayor Wentz received information about the work in City Park by the gazebo. Ron Copple said crews are installing pads for drinking fountains at area parks.

**STAFF COMMENTS**

Ron Copple provided information about a mosquito fogger he wished to purchase, for \$11,318.00.

Commissioner Johnson made a motion to purchase the fogger. Commissioner Parker seconded. Motion carried unanimously.

Chad Buckley discussed the Acorn Apartments, a 24-unit apartment complex. The new owner wants water meters for each unit. The owner has paid \$12,600.00, which will purchase the meters and most of the materials. The City will see an increase in monthly revenue.

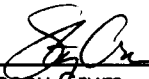
Bruce Johnson announced his staff has begun setting up the system for the body cameras. He said the patrol cars purchase was removed from tonight's agenda because the 2015 models are no longer available.

**ADJOURN**

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

There being no further business, it was moved and seconded to adjourn. The meeting adjourned at 7:10 p.m.

(Seal)

  
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Stacey Crum  
City Clerk