

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

Wednesday, September 17, 2014

5:30 p.m.

The governing body met in regular session on September 17, 2014, 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, Jarred Green, Kevin Shamburg, Mary Jo Thummel, Ken Johnson, Marsha Doyenne, Melissa Crump, Sarah Rothfuss, Ken Johnson, Lynn Moore.

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

Sister Mary Jo Thummel gave the invocation, followed by the reciting of the Pledge of Allegiance.

**APPROVAL OF MINUTES**

**APPROVED**

Commissioner Johnson said it was Commissioner Parker who made comments about traffic lights over the viaduct, not him.

Commissioner Johnson moved to approve the minutes of the September 3, 2014, meeting. Commissioner Parker seconded. Motion carried unanimously.

**APPROPRIATION ORDINANCE #17**

**APPROVED**

Answers to questions asked: AFNI is for restitution for court. The spruce trees purchased are to be placed by the statue in City Park. The larger amount paid to Rob Walsh included ongoing litigation. The bond refund to the League of Kansas Municipalities was a mistake, and is actually for annual conference registrations.

Commissioner Pounds moved to approve appropriation ordinance #17. Commissioner Hasch seconded. Motion carried unanimously.

**PUBLIC COMMENTS**

Marsha Doyenne expressed her concern that the downtown main break, which flooded her business' basement as well as others, might cause an unstable sidewalk, and wondered if that area should be barricaded during the upcoming Fall Fest.

**NEW BUSINESS:**

**FLOOD CONTROL BIDS**

**APPROVED**

Jarred Green, of KLA Environmental, presented the bids for the two dams. They were as follows:

Rank by Base Bid	Bidder	Subtotals			Base Bid Total
		(1) 21st St. Dam	(2) Plum Rd. Dam	(3) Add'l Site Work	
1	Ebert Construction Co.	\$755,490.71	\$637,374.82	\$79,947.91	\$1,472,813.44
2	Sporer Land Develop.	\$883,661.50	\$734,704.50	\$61,300.00	\$1,679,666.00
3	Malm Construction Co.	\$889,880.44	\$896,847.45	\$64,218.00	\$1,850,945.89
4	Michels Corporation	\$1,627,032.42	\$1,612,341.89	\$152,789.94	\$3,392,164.25

Rank by Base Bid	Bidder	Base Bid Total	Alternates			
			Alternate 1	Alternate 2	Alternate 3	Alternate 4
1	Ebert Construction Co.	\$1,472,813.44	\$66,135.20	\$74,987.05	\$75,323.68	\$370,479.21
2	Sporer Land Develop.	\$1,679,666.00	\$44,800.00	\$65,050.00	\$48,250.00	\$72,980.00
3	Malm Construction Co.	\$1,850,945.89	\$54,155.00	\$68,439.00	\$56,785.00	\$84,624.80
4	Michels Corporation	\$3,392,164.25	\$161,230.55	\$184,840.99	\$201,164.48	\$239,678.47

The alternate bids include additional dirt work at both sites as well as installation of storm sewer. These projects can be done later and it was decided not to act upon the alternates at this time. Based upon the great differences in prices, it was discussed that these projects might be bid separately.

The 21st St. dam can be built with TIF funds, but the Plum Road site isn't in the TIF district. Pending execution of the paperwork, work can start in October.

Commissioner Johnson moved to approve the low bid from Ebert Construction for \$1,472,813.44. Commissioner Parker seconded. Motion carried unanimously.

**PEC PRESENTATION**

Lynn Moore of Professional Engineering Consultants presented a power point of his firm's recommendations for the City's wastewater plant. Permit changes coming from KDHE means the City must do certain upgrades to meet the requirements. He said much of our equipment is at the end of its useful life. He discussed changes/updates as well as optional recommendations. The price will be approximately \$4,500,000.00.

**NEW VALVE – 9TH & CEDAR**

**APPROVED**

Chad Buckley recommended installation of a new valve at 9th & Cedar due to multiple main breaks in this area. The valve allows for installation without shutting off the school.

Commissioner Pounds moved to approve the repairs of the valve at 9th & Cedar with Lincoln Winwater Company for \$5400.00. Commissioner Hasch seconded. Motion carried unanimously.

**BROADWAY PLAZA USER AGREEMENT**

**APPROVED**

Plans have been made to use the area during Fall Fest. The user agreement must be signed by those wishing to rent the Broadway Plaza for events, and must have the approval of the Chamber director.

Commissioner Parker moved to approve the Broadway Plaza user agreement. Commissioner Johnson seconded. Motion carried unanimously.

**ORDINANCES:**

**2014-3081 BROADWAY PLAZA ALCOHOLIC BEVERAGE LICENSING**

**APPROVED**

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

**AN ORDINANCE AMENDING THE ALCOHOLIC BEVERAGE ON PUBLIC PROPERTY ORDINANCE OF THE CITY OF CONCORDIA; REPEALING CONCORDIA CODE SECTION 3-33 AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 3-33.**

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

Aye: 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. 2014-3081 and was signed by the Mayor and the signature attested by the City Clerk.

**RESOLUTIONS:**

**2014-1994 457 DEFERRED COMPENSATION PLAN**

**PASSED**

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

**WHEREAS, THE CITY COMMISSION (THE "BOARD") FOR THE CITY OF CONCORDIA (THE "EMPLOYER"), PURSUANT TO ITS AUTHORITY TO ADOPT EMPLOYEE BENEFIT PROGRAMS, WISHES TO ADOPT PLAN DOCUMENTS TO MAKE THE BENEFITS OF THE SECURITY BENEFIT 457 DEFERRED COMPENSATION PLAN AVAILABLE TO ITS EMPLOYEES (THE "PLAN");**

Thereupon on motion of Commissioner Hasch, 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. 2014-1994 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 CITY COMMISSION (THE "BOARD") FOR THE CITY OF CONCORDIA (THE "EMPLOYER") HEREBY CERTIFIES THAT THE FOLLOWING RESOLUTION WAS DULY ADOPTED BY THE COMMISSION ON THIS 17TH DAY OF SEPTEMBER, 2014, AND THAT SUCH RESOLUTION HAS NOT BEEN MODIFIED OR RESCINDED:**

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. 2014-1995 was signed and approved by the Mayor and attested by the Clerk.

**MANAGER'S REPORT**

City Manager Uri said the renter at the 1st & Lincoln property will be paying the City \$350 a month while the building is still standing. He said he will be attending a Sunflower Foundation conference this week, which provides grants for trails.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Hasch said the new playground at Hood Park looks great.

Commissioner Parker had received complaints from citizens who said all contractors were not granted the opportunity to bid for the new shop addition. Chad Buckley said he contacted and received bids from those who could install Chief buildings, to match the existing shop building.

Mayor Wentz noted weeds around the new playground at City Park.

**STAFF COMMENTS**

Chad Buckley presented photos of the shop addition.

Ron Copple announced the sales of vehicles on Purple Wave Auction that he chose not to trade recently.

Bruce Johnson discussed his department's part in next week's Fall Fest. A seized motorcycle was also put on Purple Wave Auction and sold.

**EXECUTIVE SESSION – ATTORNEY-CLIENT PRIVILEGE**

**HELD**

Commissioner Parker moved that the commission recess into executive session for fifteen (15) minutes for attorney-client privilege. Inviting: City Manager Uri. Commissioner Johnson seconded. Motion carried by the following vote:

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

Nay: None.

Time: 7:34 p.m.

The commission reconvened at 7:44 p.m.

Mayor Wentz announced there was no binding action taken.

**ADJOURN**

There being no further business, Commissioner Pounds moved to adjourn to the September 24 special projects meeting at 5:30 p.m. Commissioner Parker seconded. Motion carried unanimously. The meeting adjourned at 7:46 p.m.

(Seal)

  
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Stacey Crum  
City Clerk