

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

The governing body met in regular session on May 3, 2006 at 5:30 p.m. in the City Commission Room in the City Hall, the following members being present and participating, to wit: Commissioners Strecker, Hosie, Jindra, Johnson and Gilliland.

Absent: None.

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

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

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

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

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

APPROPRIATION ORDINANCE NO. 8

APPROVED

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

PROCLAMATION – BUDDY POPPY DAY

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

PROCLAMATION – MOTORCYCLE AWARENESS MONTH

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

PROCLAMATION – MENTAL HEALTH MONTH

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

APPOINTMENT - BOARD OF BUILDING TRADES

ROGER DEMANETTE & BRUCE BROWN

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

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARING – CDBG FIRST STREET

Mayor Strecker opened the public hearing.

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

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

Mayor Strecker closed the public hearing.

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

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

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

**RESOLUTION NO. 2006-1681 – KEY/MATTHEWS
NUISANCE ABATEMENT– 604 W. 6th****APPROVED**

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

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: N. 139' OF LOT 1, BLOCK 7, CONCORDIA, GAYLORD AND MATTHEWS'S ADDITION (604 W. 6TH)

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

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

Nay: None.

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

**RESOLUTION NO. 2006-1682 – KENDALL/SCHOENBRUNN
NUISANCE ABATEMENT– 219 W. 3RD****APPROVED**

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

WHEREAS, THE GOVERNING BODY HAS DETERMINED THAT A NUISANCE EXISTS AT THE FOLLOWING LOT OR PARCEL OF GROUND WITHIN THE CITY OF CONCORDIA: LOT 16, BLOCK 178, CONCORDIA, ORIGINAL TOWN. (219 W. 3RD)

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

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

Nay: None.

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

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

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

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

Thereupon there was presented an Ordinance entitled:

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

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

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

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

Nay: None.

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

**MAYOR/COMMISSIONER
COMMENTS AND REPORTS**

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

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

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

STAFF COMMENTS

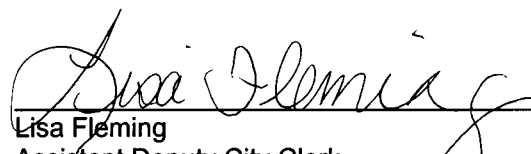
City Manager Paine advised the commission about the material that was used on the roof at City Hall. Mr. Paine asked Ron Copple to inform the commission about the KDOT project at 6th & Lincoln.

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

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

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

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


Lisa Fleming
Assistant Deputy City Clerk

(Seal)