

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 6, 2006

The governing body met in regular session on September 6, 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, Deputy City Clerk Deneault and City Attorney Uri.

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

Visitors: Jessica LeDuc, Toby Nosker, Larry Eubanks, Danny Parker, Pastor John States, Ted Collins, Ron Copple, Marvin Copple, Cheryl & Donald Lanoue, Armand Balthazor, Larry Remmenga, Janet Eubanks, John F. Davis, Pat Gerard, Rex Gerard, Darrell Kearn, Steve Dailey and Ron Deal.

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

Commissioner Johnson moved to approve the minutes of the August 16, 2006, regular meeting with an amendment to Mayor/Commissioner Comments/Reports. Commissioner Johnson had requested there would be an Executive Session at the September 6, 2006 meeting to discuss Cheryl Lanoue's termination. Commissioner Hosie seconded the motion to approve the August 16th amended minutes. Motion carried.

Amended agenda by adding Executive Session for Attorney/Client Privilege requesting Larry Paine and Larry Uri to be present.

APPROPRIATION ORDINANCE NO. 16

APPROVED

Commissioner Strecker moved to approve Appropriation Ordinance No. 16. Commissioner Jindra seconded. Motion carried.

PUBLIC COMMENTS

None.

VOTING DELEGATES TO 2006 LEAGUE CONFERENCE

Commissioner Hosie moved to appoint Commissioner Strecker and Commissioner Johnson as voting delegates to the 2006 League Conference. Commissioner Jindra seconded. Motion carried.

RESOLUTION NO. 2006-1714 –

NUISANCE ABATEMENT– 217 Kansas

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: LOTS 10-12, BLK. 182, SUBDIVISION OF CONCORDIA, ORIGINAL TOWN (217 KANSAS).

The Resolution was considered and discussed; and thereupon on motion of Commissioner Jindra, seconded by Commissioner Gilliland, 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. 2006-1714 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1715

NUISANCE ABATEMENT– 313 E. 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: LOTS 13-18, BLK. 182, SUBDIVISION OF CONCORDIA, ORIGINAL TOWN (313 E. 3RD).

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The Resolution was considered and discussed; and thereupon on motion of Commissioner Gilliland, 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. 2006-1715 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1716 –

NUISANCE ABATEMENT– 218 E. 11th

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 5, BLK. 79, SUBDIVISION CONCORDIA, ORIGINAL TOWN (218 E. 11TH).

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. 2006-1716 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1717

NUISANCE ABATEMENT– 1102 Olive

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: S2 OF LOTS 1 & 2, BLK. 78, SUBDIVISION, ORIGINAL TOWN (1102 OLIVE).

The Resolution was considered and discussed; and thereupon on motion of Commissioner Johnson, seconded by Commissioner Gilliland, 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. 2006-1717 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1718

NUISANCE ABATEMENT– 301 E. 1st

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: LOTS 7-9, BLK. 201, SUBDIVISION CONCORDIA, ORIGINAL TOWN (301 E. 1ST).

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. 2006-1718 and was directed to be signed by the Mayor and attested by the City Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 6, 2006, cont'd.

RESOLUTION NO. 2006-1719
NUISANCE ABATEMENT- 1302 Olive

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 66' OF LOTS 1 & 2, BLK. 60, SUBDIVISION ORIGINAL TOWN (1302 OLIVE).

The Resolution was considered and discussed; and thereupon on motion of Commissioner Jindra, seconded by Commissioner Gilliland, 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. 2006-1719 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1720
NUISANCE ABATEMENT-236 W. 2nd

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: LOTS 8, 9 & 10, BLK. 178, SUBDIVISION, ORIGINAL TOWN CONCORDIA (236 W 2ND).

The Resolution was considered and discussed; and thereupon on motion of Commissioner Gilliland, 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. 2006-1720 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1721
NUISANCE ABATEMENT- 1004 Republican

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 77' OF LOTS 1 & 2, BLK. 85, SUBDIVISION ORIGINAL TOWN CONCORDIA (1004 REPUBLICAN).

The Resolution was considered and discussed; and thereupon on motion of Commissioner Strecker, seconded by Commissioner Johnson, 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. 2006-1721 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1722
NUISANCE ABATEMENT- 330 W. 10th

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 7, BLK. 87, SUBDIVISION ORIGINAL TOWN CONCORDIA (330 W. 10TH).

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The Resolution was considered and discussed; and thereupon on motion of Commissioner Johnson, 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. 2006-1722 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1723

NUISANCE ABATEMENT- 824 Cedar

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: E 28' OF S 88' OF LOT 23 & S 88' OF LOT 24, BLK., 110, SUBDIVISION ORIGINAL TOWN CONCORDIA (824 CEDAR).

The Resolution was considered and discussed; and thereupon on motion of Commissioner Hosie, seconded by Commissioner Gilliland, 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. 2006-1723 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1724

NUISANCE ABATEMENT- 922 Washington

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: S 1/2 OF E 34' OF LOT 19 & S 1/2 OF LOT 20, BLK. 105 SUBDIVISION ORIGINAL TOWN CONCORDIA (922 WASHINGTON).

The Resolution was considered and discussed; and thereupon on motion of Commissioner Jindra, 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. 2006-1724 and was directed to be signed by the Mayor and attested by the City Clerk.

RESOLUTION NO. 2006-1725

NUISANCE ABATEMENT ASSESSMENT - 219 W. 3rd

APPROVED

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF LOT 16 BLOCK 178, IN THE CITY OF CONCORDIA (219 W. 3RD) WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$218.34.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1725 and was signed by the Mayor and attested by the Clerk.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 6, 2006, cont'd.

RESOLUTION NO. 2006-1726
NUISANCE ABATEMENT ASSESSMENT – 604 W. 6th **APPROVED**

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF THE N 139' OF LOT 1 BLOCK 7, GAYLORD & MATTHEWS ADDITION IN THE CITY OF CONCORDIA (604 W. 6TH) WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$68.34.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1726 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2006-1727
NUISANCE ABATEMENT ASSESSMENT – 128 Strain Ave. **APPROVED**

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF LOTS 7, 8 & 9 BLOCK 1 IN THE CITY OF CONCORDIA (128 STRAIN AVE) WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$2791.68.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1727 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2006-1728
NUISANCE ABATEMENT ASSESSMENT – 416 W. 13th **APPROVED**

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

WHEREAS, THE OWNER, OCCUPANT AND/OR PERSON IN CHARGE OF LOT 4 BLOCK 64, IN THE CITY OF CONCORDIA (416 W. 13TH) WAS DULY NOTIFIED AS PROVIDED BY ORDINANCE NO. 2624 OF THE NUISANCE TO BE ABATED AT A COST OF \$174.18.

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

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1728 and was signed by the Mayor and attested by the Clerk.

RESOLUTION NO. 2006-1729
EXTEND BLOCHLINGER LAND PURCHASE AGREEMENT **APPROVED**

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

WHEREAS, THE GOVERNING BODY FINDS THAT THE BEST INTERESTS OF THE CITY AND ALL OTHER INTERESTED PARTIES ARE SERVED BY THE APPROVAL OF A CONTRACT EXTENSION FOR THE PURPOSE OF ALLOWING TONY R. BLOCHLINGER AND JILL C. BLOCHLINGER AN ADDITIONAL 90 DAYS TO REMOVE THEIR PROPERTY FROM A CERTAIN TRACT OF REAL ESTATE RECENTLY ACQUIRED BY THE CITY.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 6, 2006, contd.

The Resolution was considered and discussed; and thereupon on motion of Commissioner Strecker seconded by Commissioner Hosie, with no more extensions per Commissioner Hosie, the Resolution was adopted by the following roll call vote:

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then numbered Resolution No. 2006-1729 and was signed by the Mayor and attested by the Clerk.

**EXECUTIVE SESSION
ATTORNEY/CLIENT PRIVILEGE**

HELD

At this time Commissioner Strecker moved that the commission recess into executive session for twenty (20) minutes to discuss attorney/client privileges. Commissioner Johnson seconded. Motion carried. Time: 5:50 p.m. Inviting: Larry Paine and Larry Uri.

The commission reconvened at 6:11 p.m.

Mayor Strecker announced that there was no action to be taken as a result of the executive session.

**MAYOR/COMMISSIONER
COMMENTS AND REPORTS**

Commissioner Johnson asked why the city was advertising for a director of finance position instead of a city clerk position. The ordinance states the city will hire a city clerk and the director of finance duties will fall under that position. He felt the city manager was changing policy and that should be done by the commission. City Manager Paine stated that in the context of the staffing of the organization, it was his discretion to put the organization together the best way to serve the community. When that is in place the commission can change that ordinance. Mr. Johnson asked how do we go about picking and choosing which ordinances we use. In this particular case the city manager stated that this organization and how it is put together is his responsibility. Once the recommendations are in place the commission will be asked to change the ordinance. What is important is that he presents to the commissioners an organization that outlines the organization the way he feels it should be put together with the staff that we have available. Mr. Paine said that in this particular case the position of city clerk would be offered to someone internally and they would find someone externally to fill the position of finance director. Mr. Johnson asked the city manager if he makes policy. Larry Paine said he makes recommendations to the commission about policy and the commission approves them. Mr. Johnson said that this was not discussed with him and felt things were being done backward. Mayor Strecker said the city manager had called him and talked to him about this and had no problem with hiring a finance director. Mr. Johnson asked "do we abide by our own ordinances?" Mr. Paine stated that yes we do but in his opinion what the city needs is a finance director. The city clerk position would be filled internally. Commissioner Johnson stated he did not agree with the city manager and made a motion to do what the ordinance says and that is to advertise for a city clerk.

Commissioner Hoise asked Commissioner Johnson if he would consider a motion to get together and discuss this issue and get back with the city manager. Mr. Johnson stated the position had already been advertised and asked Larry Uri, the City Attorney for a legal opinion. Mr. Uri had no opinion and Commissioner Johnson again made a motion to readvertise for a city clerk. No second was given and the motion failed. In closing Mr. Johnson stated this all goes back to what he had been discussing, the commission is not involved in the decision making, they are only asked to approve.

Commissioner Johnson addressed the city manager with the question of why we are hiring CBIZ as a consultant to help in the decision making process of selecting the right health insurance for the city employees. He felt the city manager should be doing that. Mr. Paine stated there are a lot of technical issues involved in putting together an insurance analysis, and it would be in the city's best interest to hire someone with that expertise. Mr. Johnson felt like the city employees should be involved. Mr. Paine said when all the alternatives are put together they would get with all the departments and discuss their options, at the current time he does not know what those options are. Commissioner Gilliland commented the city employees would be involved in the decision making process but they also have to understand the cost of the city's health insurance keeps going up and we need to look at alternatives to bring those costs down. Currently we are spending over a thousand dollars a month for each employee and we need to decide if we are getting the best bang for our buck. Is it the city manager's responsibility to research this? Mr. Gilliland said there are so many things involved in trying to decide on the proper insurance that it would be wise for the city to hire a consultant, someone with some expertise to put together an analysis. We are looking at a significant amount of money and the money being spent on the analysis is justified. Mayor Strecker agreed with Mr. Gilliland. Being in business for himself he knows what it is like trying to keep good insurance for his employees. Mr. Johnson asked how much we were paying CBIZ. The city manager stated that we would be paying them \$1,000.00 a month for 12 months.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 6, 2006, cont'd.

Commissioner Gilliland commented in the minutes of the last public hearing he had made a statement in regard to the commission's shift of focus in the use of TIF funds from infrastructure to economic development to increase property tax revenues. He wanted to clarify that this statement is true but it was said in the context, and that's not all of it. Economic development is very important, it's the backbone of the community. It creates jobs, encourages livability for the residents of the community, provides diversity for the businesses so that you don't have to travel out of town. Obviously it does expand the tax base, not just the property tax base and it increases sales tax, revenues and other sources of revenue for the city, and it reduces our reliance on property tax. It is not just to increase property tax revenues, it is to expand the tax base, create jobs, improve livability, and create new businesses. The TIF tool is a good tool, it allows the city to improve infrastructure, eliminates blight and promotes economic development. It saves us from having to go out and tax the community as a whole in order to provide infrastructure and economic development. There is a lot of misinformation about TIF. It's not a give away but a tool to improve and advance the city without taxing the entire tax base. If you look at the downtown district and Highway 81 you can see TIF at work.

STAFF COMMENTS

The city manager wanted to inform the commission that a lot of the downtown improvement projects where the city partnered with Citizens National Bank would be done by Fall Fest. A lot of these businesses had made a significant difference in the appearance of their buildings. He wanted to point out these folks for their commitment to improve the quality of what the community looks like. It makes a good statement about the district. Since WalMart has come to Concordia we have focused on the improvement of the downtown district. The downtown business owners need to be applauded for their efforts in accomplishing this, for their commitment.

Commissioner Johnson said he had heard a lot of good comments about the street patching being done, and wanted to pass it on and thank the street dept. for its work on the streets. Mr. Paine said that they wanted to get a lot of the streets sealed but it would probably have to wait until next year when they can secure bids.

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



Phil H. Deneault
Deputy City Clerk

(Seal)