

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 17, 2008**

The governing body met in regular session on December 17, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, 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, Ron Deal, Megan Murdock, Linda Bogart, Geri Bogart, Kenton Bogart, Kyle Bogart, Tony Studt, Sara Hicks, Ron Copple, Jim Ganson, Bruno Rehbein, Joe Strecker, Don Lanoue, Marvin Copple, Ric Voelker, Larry Remmenga, Joe Walter, Larry Eubanks, Ted Collins, Janet Lowell, Kirk Lowell, Ken Johnson, Steve Dailey, Ruby Maline.

There was no invocation.

The Pledge of Allegiance was recited.

Mayor Hattan asked for changes on the agenda. Commissioner Hosie suggested a wording change on Item G, to read 2009 Professional Services Agreement – CloudCorp. He also requested that an item be added to new business entitled Discussion on City of Concordia's Financial Status.

**AWARDS AND RECOGNITION**

Danny Parker introduced Sgt. Ric Voelker, member of the Concordia Police Dept. He read the following:

Police officers are best known for giving tickets and arresting law breakers. Many times the citizens don't appreciate this aspect of law enforcement, even though this part of protecting and serving the public is critical. On some occasions, officers exhibit their training and life saving skills in a much more visible manner. One such event occurred a couple of months ago. On October 23, 2008, we received a call at the communications center. A student at the school had passed out and was not breathing. Sgt. Ric Voelker, along with medical personnel, were notified. While in my office I observed Sgt. Voelker run out of the police department on the way to the school, and I must say I didn't know he could move that fast. Sgt. Voelker arrived and found Kyle Bogart. Kyle was not breathing, and had no pulse. Using the defibulator, Sgt. Voelker was able to restart Kyle's heart and establish breathing with the aid of one of the teachers, Mr. Wachs. I've been told by the medical professionals that without the quick actions and skills of Sgt. Voelker, Kyle would not have survived. The actions of Sgt. Voelker qualify him for the lifesaving medal which I would now like to have Kyle now present to him.

Kyle then presented Sgt. Voelker with the medal. Upon applause, Larry Eubanks presented Sgt. Voelker with a CPR Save pin, which is only given to those saving a life through CPR.

**APPROVAL OF MINUTES**

**APPROVED**

There were no comments. Commissioner Hosie made a motion to approve the minutes of the December 3, 2008 meeting as presented. Commissioner Lanoue seconded. Motion carried.

**APPROPRIATION ORDINANCE NO. #23**

**APPROVED**

Commissioner Johnson questioned if the \$42,000 listed on the back sheet was just penalties and interest, and asked if the account was current. Interim City Manager Uri affirmed that the sum was penalties and interest and that the account was current. Commissioner Hosie made a motion to approve appropriation ordinance #23. Commissioner Johnson seconded. Motion carried unanimously.

**PUBLIC COMMENTS**

Joe Walter, representing the City's insurance, Benefit Administrative Systems, presented an info sheet to clear up some misunderstandings and to stress the savings with BAS compared to other insurance companies. He discussed administrative fees and actual costs, and projected costs through the end of the year.

**PUBLIC HEARING**

A public hearing was held to consider special assessments for curb and gutter, and street projects. Ron Copple explained that these are the projects that the City enters into with property owners. The property owners pay for all the materials and half of the engineering. Mayor Hattan moved to close the public hearing. Commissioner Lanoue seconded. Motion carried unanimously.

**OLD BUSINESS****PURCHASE CARDS AGREEMENT**

Interim City Manager Uri discussed a new version of the purchase card contract that addressed concerns of the Commission. He said a visit could be expected from a representative of UMB Bank at the first of the year. Commissioner Lanoue asked about policies. Interim City Manager Uri said there was time to spell out these policies before activating the cards. Commissioner Lanoue moved to authorize the Mayor to sign the purchase cards agreement with UMB Bank. Commissioner Johnson seconded. Motion carried unanimously.

**HEALTH INSURANCE**

Interim City Manager Uri discussed the fluctuating costs with BAS and the improbability of having another good year for claims to be lower than expected. Therefore, he felt, along with the staff health care committee, that the best choice for the City is the state plan with Blue Cross Blue Shield, which would have fixed costs no matter the number or amount of claims. This plan will allow the City to pick from four different insurance companies, and the rates are structured on the type of coverage and income of the employee. Interim City Manager Uri recommended Blue Cross, with a low deductible, low co-pay, and dental coverage for the employee. City employees polled agreed this is the best plan with better coverage and more providers in the network. The recommended plan includes a contribution by all employees, with the maximum amount being just over \$100 for a family plan. \$515,000 is budgeted for health care for 2009, and the employee contributions will be approximately \$52,000, which falls short of the proposed cost for the Blue Cross policy. It was agreed that money available in the health care account could cover the balance. Mayor Hattan said that they both sounded like good plans; his thoughts were that the employees should vote. Then, if claims were low for the year under the BAS plan, the option would remain open to refunding all or a portion of the contributions back to the employees. Mayor Hattan moved to approve the plan selected by employees with a contribution by employees under either company; if the choice is BAS, and the claims are low the employees would get their contributions back. Commissioner Lanoue seconded. After discussion, Mayor Hattan amended his motion that, if Blue Cross is chosen, the plan would start April 1, 2009, with BAS coverage through March 31. Motion carried unanimously.

**NEW BUSINESS****AFFIRMATION OF EXEMPT PROPERTY STATUS FOR IRB CERTIFICATIONS**

Interim 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 Hosie 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**

Interim City Manager Uri explained that this names all local banks as depositories where the City may invest its funds. Commissioner Johnson asked about the City's checking account and if this is up for bids. Interim City Manager Uri said it is not. Commissioner Johnson moved to approve Citizens National Bank, Central National Bank, United Bank & Trust, Peoples Exchange Bank, and Elk State Bank as official depositories for 2009. Commissioner Lanoue seconded. Motion carried unanimously.

**2009 PROFESSIONAL SERVICES AGREEMENT****CAMPBELL & JOHNSON**

Ken Johnson of Campbell & Johnson thanked the Commission for the opportunity to work with the City for the last 30 years. He said that 2009 would be the firm's 40<sup>th</sup> anniversary. He said they have been the city engineers for the last 30 years, and had worked for the City for all years. He explained that the agreement would be for the same monthly fee of \$1100, with no increase. Commissioner Johnson moved to approve the 2009 professional services agreement with Campbell & Johnson. Commissioner Lanoue seconded. Motion carried unanimously.

**CEREAL MALT BEVERAGE LICENSE****THUNDER STRIKEZ**

There were no comments. Mayor Hattan moved to approve the CMB license for Thunder Strikez. Commissioner Hosie seconded. Motion carried unanimously.

**CEREAL MALT BEVERAGE LICENSE****WOOD OIL**

There were no comments. Commissioner Johnson moved to approve the CMB license for Wood Oil. Commissioner Lanoue seconded. Motion carried unanimously.

**CEREAL MALT BEVERAGE LICENSE****ZISTRO'S**

There were no comments. Commissioner Johnson moved to approve the CMB license for Zistro's. Commissioner Lanoue seconded. Motion carried unanimously.

**2009 PROFESSIONAL SERVICES AGREEMENT****CLOUDCORP**

Kirk Lowell of CloudCorp said that this agreement requested \$50,000 City funding, up from \$45,000 for 2008. Mr. Lowell discussed several projects for Concordia, including new businesses nearly complete as well as businesses interested in Concordia. They have four applications returned so far for the downtown improvement grant program. Commissioner Johnson asked if only \$45,000 had been approved in the budget. It was stated that the \$50,000 was approved, along with an additional \$5,000 for an independent project that might become available. Commissioner Jindra moved to approve the 2009 professional services agreement with CloudCorp. Mayor Hattan seconded. Motion carried unanimously.

**DEMOLITION PROGRAM****219 and 221 W. 3<sup>RD</sup>**

Bruno Rehbein presented the last two projects of 2008. There was discussion on the County's approval of this program for 2009. Commissioner Jindra suggested that Mr. Rehbein approach the County Commission for specific answers.

**DISCUSSION OF CITY OF CONCORDIA'S FINANCIAL STATUS**

Commissioner Hosie questioned Mayor Hattan's projected revenue figures from the last meeting. He suggested that the City was in better condition than reflected in these numbers. The revenue figures included property tax, franchise fees, and sales tax. Commissioner Hosie said that certain revenues are up, including ambulance, of which \$92,000 more has been collected as of November than budgeted. Mayor Hattan expressed his concerns that we don't account the same way we budget. Discussion on audit report figures led Commissioner Hosie to retrieve the audit reports from his vehicle. Upon returning, he provided figures from prior year audits.

**RESOLUTION 2008-1828 CLASSIFIED EMPLOYEE PAY PLAN****APPROVED**

Interim City Manager said this resolution provided for a 3% hourly raise for all non-salaried employees for 2009. Mayor Hattan made a motion to approve Resolution 2008-1828. Commissioner Johnson seconded. Motion carried 5-0 with the vote being as follows:

Yea: Commissioners Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None

**RESOLUTION 2008-1829 NON-CLASSIFIED EMPLOYEE PAY PLAN****APPROVED**

Interim City Manager explained that this resolution provided for the minimum and maximum pay of a salaried department head. Commissioner Lanoue said she would like to see the pay scale on non-classified employees to be similar to that of the classified employees. This would provide time-frame steps between evaluations and future raises. Commissioner Lanoue also suggested that the upper steps on the pay scale be eliminated. She also would like to see the city manager be allowed to give up to no more than two step increases at one time, and only with a written evaluation. Commissioner Johnson said that he was not in favor of a 3% salary increase for the department heads, which would be substantial. Interim City Manager Uri said that all discussion was reasonable, but to make changes now would not be practical, and suggested the discussion for the next budget. Mayor Hattan agreed that the salary needed to be capped at this time, rather than waiting until next year. Commissioner Lanoue made a motion to approve Resolution 2008-1829 with the changes of eliminating all the steps from LL-ZZ; to put the step increases back in which are A- B for 6 mo. evaluation, C-D for 1 yr. evaluation, E-H for 2 yr. evaluation, and 3 yr. thereafter; and only allowable for the city manager to give no more than two step increases with an excellent written evaluation, making no changes to existing salaries for department heads if these changes would lower someone's pay, but for these step increases to apply to new department heads hired after January 1 and future raises for existing department heads. Mayor Hattan seconded after agreeing this will be revisited at next year's budget. Motion carried 5-0 with the vote being as follows:

Yea: Commissioners Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None

**RESOLUTION 2008-1830 WAIVER OF GAAP****APPROVED**

Interim City Manager Uri explained this is an annual resolution to waive generally accepted accounting principles (GAAP). Commissioner Johnson made a motion to approve Resolution 2008-1830. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Commissioners Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None

**ORDINANCE 2008-2972 ASSESS SPRUCE ST. AND CURB & GUTTER COST** **APPROVED**

Interim City Manager Uri said that it was appropriate to first approve the final costs of the projects. Commissioner Lanoue moved to approve the final costs of \$23,521.22 for Spruce St., \$864.50 for 418 W. 14<sup>th</sup> St., \$2566.25 for 404 W. 9<sup>th</sup> St., \$1257.80 for 717 2<sup>nd</sup> Ave., and \$879.80 for 715 Archer St. Mayor Hattan seconded. Motion carried unanimously.

Interim City Manager Uri said this ordinance authorizes the City to assess the above amounts to the landowners. They have the option to pay up front, or apply it to their property taxes and pay over a period of several years. Commissioner Johnson made a motion to approve Ordinance 2008-2972. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Commissioners Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None

**ORDINANCE 2008-2973 TREE ORDINANCE MODIFICATIONS**

**APPROVED**

Interim City Manager Uri reminded the Commission of a previous discussion that there are still city codes that mention a tree board, city forester, and director of parks and recreation which no longer exist. This ordinance would remove these references. Mayor Hattan made a motion to approve Ordinance 2008-2973. Commissioner Johnson seconded. Motion carried 5-0 with the vote being as follows:

Yea: Commissioners Hattan, Johnson, Jindra, Hosie, and Lanoue

Nay: None

**MANAGER'S REPORT**

Interim City Manager Uri had no further comment.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Jindra read from a statement displaying his concerns over what he characterized as the doom and gloom financial discussions at recent City Commission meetings.

Commissioner Johnson questioned financials of Cloud Village that he thought had been removed from the library. Interim City Manager Uri explained that there are no actual recent audits for the housing authority, and that they have asked to be included in the City's future audits. Interim City Manager Uri said he was not aware of any report having been removed from the library. Commissioner Johnson also asked about the letter from the Blosser attorney. Interim City Manager Uri explained the contents of the letter, and said that the letter had been sent after the election which did not approve the hospital, so there was no reason for further discussion on this matter.

Commissioner Hosie asked what is happening with the Corp of Engineers concerning the dam project. Interim City Manager Uri said he had called them, and it appears they will not be ready for the next step until possibly January, with no real progress on their part in the last six months.

Commissioner Lanoue requested a revenue report on pool concessions. She also questioned the lack of revenue for concessions at the sports complex. Interim City Manager Uri said that would be looked into. Commissioner Lanoue asked about the hail money that has been received so far. Vehicle money has been received, and \$59,000 on one building has been received. Ruby Maline stated more money is to come, and it will be moved to the project funds. Ron Copple said he requested that the adjuster return, as some property damage had been overlooked in the initial adjustment.

Mayor Hattan addressed Commissioner Jindra's comments.

**STAFF COMMENTS**

Ruby Maline talked about the airport project reimbursement she has requested from the FAA for \$61,797.00, which is 95% of what has been expended so far.

**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