

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 3, 2008

The governing body met in regular session on December 3, 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.

Commissioner Hosie declared that a quorum was present and called the meeting to order.

Visitors: Jessica LeDuc, Toby Nosker, Jason Grogan, Marvin Copple, Ted Collins, Danny Parker, Don Lanoue, Bob Maxson, Megan Murdock, Ron Deal, Jim Ganson, Tony Studt, Janet Eubanks, Larry Eubanks, John Davis, Larry Remmenga, Ron Copple, Bruno Rehbein, Jim Stromberg, Thaniel Monaco, Steve Dailey, Ruby Maline.

Pastor Jason Grogan gave the invocation followed by the reciting of the Pledge of Allegiance.

Mayor Hattan entered at 5:32 p.m.

Mayor Hattan asked for changes on the agenda. Interim City Manager Uri said Bob Maxson of the college was in attendance and would be added under old business to discuss a recent board meeting and the college's willingness to undertake the water project as offered by the City. Another change was to remove the Disaster and Emergency Operation Plan Approval under old business, as Commissioner Lanoue requested some revisions. Under new business, Interim City Manager Uri wanted to add a discussion concerning keeping the recording of minutes, as requested by Commissioner Johnson.

APPROVAL OF MINUTES

APPROVED

Commissioner Johnson said that the minutes showed that Ruby Maline suggested two possible TIF projects, but he questioned if there were three. Interim City Manager Uri said that the minutes reflected what was actually said, whether the figure was correct or not. Mayor Hattan made a motion to approve the minutes of the November 19, 2008 meeting as presented. Commissioner Lanoue seconded. Motion carried.

APPROPRIATION ORDINANCE NO. #22

APPROVED

Commissioner Lanoue asked if the City would be reimbursed for the Brown Grand roof expenses. Interim City Manager said it would be turned in. Commissioner Lanoue said she preferred to see those expenses paid out of the general fund rather than the capital improvement fund. Interim City Manager Uri said staff would consider this. There was discussion over the City property hail money and where it would be receipted when received. The consensus was that expenses would be paid wherever the money would be receipted. Commissioner Johnson asked what the check to ICMA was. Ruby Maline addressed this, which is a retirement investment paid by an employee. He asked what ASFPM stood for. Bruno Rehbein answered that it is the Association of State Floodplain Managers. Commissioner Johnson also asked about underground storage tank insurance. Ron Copple answered this question. Commissioner Johnson made a motion to approve appropriation ordinance #22. Mayor Hattan seconded. Motion carried unanimously.

PUBLIC COMMENTS:

There were no public comments.

OLD BUSINESS:

DEMOLITION PROGRAM REPORT

Bruno Rehbein discussed the two demo projects included in the commissioner packets. He said there are two projects left, and that two people have already shown interest in the program for next year. There was discussion on whether the county would be open to more of these demo projects in the future for material disposal at the landfill.

CLOUD COUNTY COMMUNITY COLLEGE REPORT

Bob Maxson of CCC reported on the college's November 25 board meeting. He was given the go ahead for the installation of the pump and pressure reduction valves. The Board's concern was that there would be adequate water pressure at the LaBarge House to run the sprinklers after this has been completed. Larry Remmenga said this would be no problem. Discussion included the budgeted study for the project, and when the college would like the project completed. Mayor Hattan said that according to one monthly report, the water fund is \$311,000 down from what was budgeted for revenue, and questioned whether the City has the money for this project. Mr. Remmenga said that the water department is conserving because of this issue. Mayor Hattan felt that a recent news article expressed the college's lack of appreciation for City help with this project. Interim City Manager Uri said that he would do an assessment of the budget to be sure the City could afford this project. Commissioner Jindra said he thought it was time to do what was in the best interests of the community. Mayor Hattan said that the City has already given more than what was budgeted for this project.

NEW BUSINESS:LIBRARY REPORT

Denise DeRocheFort-Reynolds reported on the success of the recent reading program. She discussed the roof replacement, which was done by Geisler Roofing at a cost of \$133,370. This came from the capital improvement fund and reflected thirteen years of budgeted savings. The library also recently added a second server, and now has wireless internet for laptops. Also, there is work being done on the Carlson Room to better display and make accessible to the public the library's considerable Frank Carlson collection.

PURCHASE CARDS AGREEMENT

Interim City Manager Uri requested putting the purchase cards agreement discussion on the next agenda, pending making some changes to the agreement. Commissioner Johnson had some concerns over several sections of the agreement, including the company's right to transfer, sign or sell the account without notification, and their right to terminate.

CONSTRUCTION OF WASTEWATER TREATMENT PLANT CONTRACT

Larry Remmenga introduced Thaniel Monaco of BG Consultants, the engineering firm on the wastewater treatment plant project. BG Consultants recommends accepting the bid from Walters-Morgan Construction from Manhattan, Kansas, not to exceed \$468,100.00, which includes bar screen and washer/compactor for \$120,195.00, and clarifier and appurtenances for \$169,200.00, and installation of equipment. This was a budgeted project for 2008. As the cash balances report shows approximately \$605,000 in the fund for November month end, Mr. Remmenga preferred to bond the project. It was decided to approve the project and go forward with attempting to bond. Commissioner Lanoue moved to authorize the mayor to sign the contract with Walters-Morgan Construction not to exceed \$468,100.00. Commissioner Johnson seconded. Motion carried unanimously.

CEREAL MALT BEVERAGE LICENSELEISZLER OIL CO.

There were no comments. Mayor Hattan moved to approve the CMB license for Leiszler Oil Co. Commissioner Lanoue seconded. Motion carried unanimously.

CEREAL MALT BEVERAGE LICENSEAMERICAN LEGION GOLF COURSE

There were no comments. Mayor Hattan moved to approve the CMB license for American Legion Golf Course. Commissioner Lanoue seconded. Motion carried unanimously.

CEREAL MALT BEVERAGE LICENSEAMERICAN LEGION CLUB

There were no comments. Mayor Hattan moved to approve the CMB license for American Legion Club. Commissioner Lanoue seconded. Motion carried unanimously.

Interim City Manager Uri said a citizen had recently requested a copy of the recorded minutes and had a question about them. Commissioner Johnson approached City Hall staff about listening to the minutes and was told there was no longer a copy of the recorded minutes. He quoted the City Clerks Manual which states: "It is important to note that the official record is the minutes after they have been approved by the governing body and any recording of the meeting held by the city should be erased." Commissioner Johnson said he believed the recordings should be kept for one year. Interim City Manager Uri suggested that the recorded minutes would not be erased until the new video equipment in the commission room is up and running, at which point the DVDs of the meetings would be kept indefinitely.

MANAGER'S REPORT:

Interim City Manager Uri talked about the tree board, consisting of the city manager, mayor, and city forester, which is Ron Copple. Any proceedings involving trees on private property, by ordinance, needed recommendation by the tree board to proceed. When ordinances were revised a number of years ago, the tree board was eliminated, but there are two references in City tree ordinances that still require recommendation by the tree board. Interim City Manager Uri said that the tree board needed reinstated, or the references to the tree board needed removed in the ordinances to allow the city forester to make decisions involving tree removal. Mayor Hattan stated that the tree board should be removed.

Interim City Manager said that the next agenda would include several year end ordinances and such, one of which is the annual employee classification scale, giving the City employees a 3% cost of living raise on current salary. Commissioner Lanoue said she thought that the department head scale was too high. Commissioner Johnson wanted a clearer understanding of the 3% raise at base compared to current salary.

MAYOR/COMMISSIONER COMMENTS AND REPORTS:

Commissioner Johnson asked if there would be a study session on the Disaster and Emergency Operation Plan. Larry Eubanks said that it could be a study session item, but that he had handed this plan to the commissioners over a month ago and had only heard comments from two commissioners. Interim City Manager Uri said that it could be a study session item at the next meeting. Also, Commissioner Johnson requested that the

answers to questions he asked about the appropriation ordinance prior to the meeting be included in the minutes. Interim City Manager Uri called for a motion to include those. Commissioner Johnson moved to include the answers to his questions in the minutes. Mayor Hattan seconded. Motion carried unanimously. The answers are as follows:

Check #50001 to Campbell & Johnson is for plans and specifications with respect to the replacement of the Brown Grand roof. The state historical society requires that specifications be submitted for replacements to historical buildings. Mark Skiles requested the work from C&J. Eric had it partially finished when Mark left. Eric asked me what to do, and I told him to finish it. Eric is making a copy of the specs for me. I will forward them to you.

Check #50015 to HWS is for the first two chapters of the airport master plan update. We received those drafts and a cover letter on November 12. I thought we made copies and delivered them to you. If we didn't, please let me know and we will do so. The two chapters cover an inventory of current assets and a forecast of aviation demand. They must be reviewed by the airport advisory board, the FAA, and KDOT before HWS proceeds with the next step of the plan. I think that FAA reimburses us for 95% of the cost. The process to request this reimbursement is underway.

Check #50021 to Karen Larson is covered by grant money that was paid to the fire department by the Kansas Board of EMS. The grants are for training. Concordia teamed with Mitchell County to host a class in pre-hospital trauma life skills. Four of our full time personnel and three of our reserves attended. Karen Larsen is the name of the person who did the training. She is affiliated with an organization called the Midwest Lifeteam Education Team.

Check # 50034 to Swenson Brewer & Long is for the services of attorneys Donna Long and Erin Riffey as city court prosecutors. My interim city manager contract permits me to hire outside counsel for this job at \$1,500.00 per month. The reason that this check is for more is that I erroneously told the city clerk to prorate the September payment as of September 17, the day I started as interim manager, when in fact Swenson Brewer & Long had been hired effective as of September 3, which is the date of my contract. They were underpaid for September, and we are now making up for that. Municipal court operates on a monthly cycle, and it needed to be in at the start of the cycle for September.

Commissioner Lanoue commended staff for the snowflakes recently installed.

Mayor Hattan passed out a sheet for the commissioners with the following numbers that he said came from the November monthly report.

<u>Fund</u>	<u>2008 Budget</u>	<u>Projected Revenue</u>	
City Sales Tax	1,100,000.00	995,000.00	(105,000.00)
County Sales Tax (City Share)	560,000.00	472,000.00	(88,000.00)
Franchise Fees (Electric, gas, telephone, cable)	538,000.00	487,000.00	(51,000.00)
Interest Income (General fund)	115,000.00	55,000.00	(60,000.00)
Building Permits	8,700.00	2,200.00	-75%
Water Sales	900,000.00	665,000.00	(235,000.00)
Sewer Charges	475,000.00	399,000.00	(75,000.00)
Water/Sewer Total	137,500.00	1,064,000.00	(311,000.00)

Commissioner Johnson commented that there were two Leiszler CMB licenses, rather than one. Mayor Hattan moved to approve the CMB license for Leiszler Oil Co. Location #2. Commissioner Lanoue seconded. Motion carried unanimously.

STAFF COMMENTS:

Larry Remmenga informed the Commission that the water tower project has been completed, and he approved of the excellent job.

Bruno Rehbein announced that he had just heard from the county and they approved doing several more demo projects for 2009.

Larry Eubanks said that he is helping with the food bank and, if he wins, will take a pie in the face at Concordia night at the college on December 10.

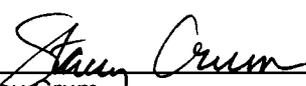
Mayor Hattan asked if the new auditor has been retained. Interim City Manager Uri said the process has begun, and soon the auditor will send the City a letter of engagement.

ADJOURN

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

There being no further business, Commissioner Lanoue moved to adjourn the meeting. Commissioner Hosie seconded. Motion carried unanimously.

(Seal)



Stacey Crum
City Clerk