

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 21, 2008**

The governing body met in regular session on May 21, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Jindra, Johnson, Lanoue and Mayor Hattan.

Absent: Commissioner Hosie

Other Officers: City Manager Skiles, City Attorney Uri and Interim City Clerk Knudsen.

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

Pastor John States gave the invocation followed by the citing of the Pledge of an Allegiance.

Visitors: Jessica LeDuc, Toby Nosker, Larry Remmenga, Don Lanoue, Steve Womack, Kirk Lowell, Ted Collins, Marvin Copple, Ron Copple, Bruno Rehbein, Armand Balthazor, Danny Parker, Janet Eubanks, Ron Deal, Larry Eubanks, John Davis, Larry Bergstrom, Denise de Rochefort-Reynolds, John States, Sara Hicks, Tim Stangel and Stacey Crum.

Upon a request by Mayor Hattan for changes to the agenda, City Manager Skiles added a new #7 Resolution 2008-1814 Codes and Procedures and under Study Session add item #4 Budget.

APPROVAL OF MINUTES

APPROVED

Mayor Hattan moved to approve the minutes of the May 7, 2008 regular meeting. Commissioner Johnson seconded. Motion carried 4-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, and Lanoue.  
Nay: None

APPROPRIATION ORDINANCE NO. #9

APPROVED

Upon discussion, City Manager Skiles informed the commission that they would be receiving a copy of all the receipts generated by the City debit cards. Mayor Hattan made a motion to approve appropriation ordinance #9. Commissioner Lanoue seconded. Motion carried 4-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, and Lanoue.  
Nay: None

PROCLAMATION – EMERGENCY MEDICAL SERVICES WEEK

Captain Tim Stangel and Fire Chief Larry Eubanks presented the Commission with a proclamation for Emergency Medical Services Week. Mayor Hattan read the proclamation and proclaimed the week of May 16-22, 2008 as Emergency Medical Services Week.

PUBLIC COMMENTS

Denise de Rochefort-Reynolds discussed the summer library program. This year's theme is "Catch the Reading Bug". It begins May 22 and continues through the middle of July. Currently 100+ children have registered for the program.

Armand Balthazor voiced his concern for the nuisance situations that exist in the City. City Manager Skiles stated that actions are being taken to address this subject.

ORDINANCES:

ORDINANCE NO. 2008-2959:  
WORK UTILITY VEHICLE

APPROVED

**AN ORDINANCE AUTHORIZING THE OPERATION OF WORK-SITE UTILITY VEHICLES ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS; PROHIBITING THE OPERATION OF GOLF CARTS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, PROVIDING FOR RELATED MATTERS INCLUDING PENALTIES FOR VIOLATION THEREOF; AND AMENDING THE CONCORDIA CODE, BY ADDING A NEW SECTION 19-9.**

Larry Uri, City Attorney explained the details that are outlined in the above ordinance and stressed that golf carts are not being authorized by this ordinance.

Commissioner Johnson made a motion to approve Ordinance 2008-2959. Commissioner Lanoue seconded. Motion carried 4-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioners Johnson, Jindra, and Lanoue  
Nay: None

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 7, 2008 cont'd  
RESOLUTIONS

RESOLUTION 2008-1814 CODES AND PROCEDURES

A RESOLUTION ESTABLISHING A CODE OF PROCEDURES FOR THE CONDUCT OF CITY COMMISSION MEETINGS AND REPEALING RESOLUTION #2004-1556.

Larry Uri, City Attorney explained the changes and update that were made in this resolution. Commissioner Johnson stated that he would like the wording changed in section 10 from "support" to "explanatory". Mayor Hattan made a motion to approve the resolution as amended. Commissioner Lanoue seconded. Motion carried 4-0 with the vote being as followed:

Yea: Mayor Hattan, Commissioners Johnson, Jindra and Lanoue

Nay: None

MANAGER'S REPORT

Skiles "Thanked" the citizens of Concordia for the LMI surveys that have been returned (61.4%).

Skiles informed Armand Balthazor that the issue of nuisances and dangerous structures is being addressed.

Skiles stated that memorials placed at the cemetery will be removed 2 (two) weeks after Memorial Day.

Skiles informed the commission that he does have minutes for the meeting with the Corps of Engineers but, he has not had time to review them. As soon as they are complete he will provide each of the Commissioners, and other interested parties, a copy.

In regards to the "performance audit", Skiles informed the Commission that he has contacted 4 firms. He expects to continue conversations with them next week. He will keep the Commission informed as this project progresses.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Lanoue stated that she feels that the Commission should talk to the 4 (four) firms about the audit and let them know what the commission is looking for and expects from an audit. She also wanted to know why the new pool fees were not brought before the commission for them to approve. Skiles stated that he was not aware that this needed to be done. He thought that this was an issue that he could do on his own and not bother the commission with a small thing like raising pool rates. Commissioner Lanoue also felt like they should not have done away with the ten ticket pass for the pool. Skiles responded that he would take the ten ticket pass under advisement. Lanoue thanked the EMT's for the hard work that they do everyday.

Mayor Hattan agreed with Commissioner Lanoue on the performance audit that it should be up to the Commission on what they want included in the audit. He knows that in the past the Commission has approved the pool fees but doesn't feel like it is that big of an issue to revoke the things that were done this year. He would also like to see the ten ticket pass become available again.

Commissioner Jindra had nothing to report or comment on.

Commissioner Johnson again asked about re-publishing the 1<sup>st</sup> quarter report as here were errors and the numbers don't match in the first publication. Ruby Maline, Director of Finance stated that she does not intend to re-publish the report. The state requires that you publish a quarterly report and that was done. Ruby also got an electronic signature to the blade so that it can be put on the reports. The adjustments were made because of encumbrances that were made after 2/1/08 (The date by which the '08 4<sup>th</sup> Quarter Report must be published). Commissioner Johnson asked Ron Copple, Director of Public Works if it was common practice to leave the hot oil truck unattended while employees are on break. He also informed the commission and staff that he would not be attending the July 2, 2008 meeting.

Mayor Hattan feels we should publish a new corrected quarterly report as it is important to the people who look at it. We need to do the best that we can to get the correct information out there.

Skiles assured the commission that they would get a list of adjustments that were made and explanations for them also.

STAFF COMMENTS

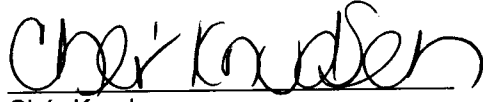
Ron Copple, Director of Public Works informed the Commission that the reason the hot-oil truck was left running on the street was because it takes time, and fuel, to get the oil hot. It is not feasible to shut the machine down for breaks and/or lunch. Based upon the safety concern, it will taken to the shop rather than leave it unattended.

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD MAY 7, 2008 cont'd

Ruby Maline, Director of Finance addressed the refund of motor vehicle fuel tax. She presented the Commission with information, handouts, detailing her findings. According to the Kansas Department of Revenue (KDOR), fire trucks are the only vehicles that are tax exempt. She could find no evidence that the City had ever applied for a refund of the "road tax" for the City's off-road vehicles (grader, backhoe). KDOR informed her that this "refund" had never existed. Commissioner Lanoue commented that she was referring to the Federal portion of the fuel tax. Maline commented that she will look into this.

Mayor Hattan stated that there will be a study session following the adjournment of the meeting.

There being no further business, Commissioner Lanoue moved to adjourn. Mayor Hattan seconded. Motion carried 4-0.



Chér Knudsen  
Interim City Clerk

(Seal)