

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD AUGUST 6, 2008

The governing body met in regular session on August 6, 2008, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Mayor Hattan, Commissioners Jindra, Johnson, Lanoue and Hosie.

Absent: None

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

Pastor Cory Shipley gave the invocation followed by the citing of the Pledge of an Allegiance.

Visitors: Jessica LeDuc, Toby Nosker, Steve Womack, Danny Parker, Kirk Lowell, Cory Shipley, Ron Deal, Susan Retter, James Ganson, Don Lanoue, Ron Deal, Marvin Copple, Ron Copple, Steve Wetter, Larry Eubanks, Jim Stromberg, Bruce Boettcher, Larry Remmenga, Dana Brewer, Lois Lervold, Tom Tuggle, Jim Currier, Jim Wahlmeier and Janet Lowell.

Mayor Hattan asked if there were any changes to the agenda. Director of Utilities Larry Remmenga stated that under New Business the commission would not be accepting a bid for the waste water project but would recommend that a discussion on that subject be held with the consulting firm. City Manager Skiles asked that item B building construction/historical preservation be added to the study session.

APPROVAL OF MINUTES

APPROVED

Mayor Hattan asked if there were any additions or corrections to the minutes for the July 2, 2008 regular meeting. Commissioner Lanoue asked where the attachments were for the minutes and on the last page under the audit presentation the very last sentence; it say's that "Commissioners Hosie and Jindra did not vote." City Manager Skiles stated "that's the way we recorded the action, yes." Commissioner Johnson asked if the commissioners get a copy of the amended minutes. Skiles said that if they would like them then they will be given to them. Commissioner Johnson made a motion to approve the minutes for the July 2, 2008 regular meeting. Mayor Hattan seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None

APPROPRIATION ORDINANCE NO. #14

APPROVED

There were a few questions asked by Commissioner Johnson. Commissioner Hosie made a motion to approve appropriation ordinance #14. Commissioner Johnson seconded. Mayor Hattan asked if there were any other questions or comments. Commissioner Lanoue had a question in regards to medical supplies for the ambulance being miscoded. City Manager Skiles said that we recognize that it was coded incorrectly and has been corrected. Lanoue would like to see the journal entry that fixes the coding. Mayor Hattan asked if there were anymore questions or discussion. Motion carried 5-0 with the vote being as follows:

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

Nay: None

PUBLIC COMMENTS:

Lois Lervold, owner of the Huckleberry Tea House asked the commission to look at the pictures that she had taken of the alley beside her business. She said that it is any awful bad need of repairs and would appreciate anything that the commission can do to help her get the alley repaired.

NEW BUSINESS:

DISCUSS WASTE WATER PROJECT

DISCUSSED

Larry Remmenga, Director of Utilities introduced Bruce Boettcher with BG Consultant. Mr. Boettcher addressed the commission and talked to them about what they expect from the city and also what the city can expect to get from BG Consultants if they are chosen as the consulting company to work on the waste water project. Remmenga stated that we will put a team together that will consist of a commissioner, city manager, consulting firm, contractor and the waste water treatment plant supervisor. Commissioner Lanoue made a motion to authorize the mayor to sign the consulting contract with BG Consultants not to exceed \$22,300. Commissioner Johnson seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None

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ACCEPT BID FOR EMS EQUIPMENT

Larry Eubanks, Fire Chief presented the bids for the power cot that his department is requesting. Chief Eubanks recommends that the commission accept the bid from Pro-Med. Pro-Med has allowed the fire department to use the power cot for the last 4 weeks with very positive responses from patients that have been transported on the cot. Commissioner Johnson made a motion to accept the bid from Pro-Med. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None

RESOLUTION TO SET PUBLIC HEARING – SPRUCE STREET

Ron Copple, Director of Public Works told the commission that Doris Bergstrom one of the land owners on Spruce street had contacted him with questions on what it would take to the street paved. Mr. Copple told her that she would have to get 51% of the property owners to sign a petition. City Attorney Uri prepared the petition and 3 of the 4 property owners signed. The Concordia Development Company is the only property owner that did not sign and that is due to the fact that the Board of Directors live all over the country and it is almost impossible to get them all together. The manager of the property said that they do not oppose to having the street paved.

City Attorney Uri explained that since not all property owners signed the petition the next step is to issue a resolution that calls for a public hearing at the next commission meeting; with the resolution being published twice and a certified copy being sent to all the land owners. Mayor Hattan made a motion to accept Resolution 2008-1819. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None

ORDINANCES:

ORDINANCE 2008-2963

TEXT AMENDMENTS – SUB DIVISION REGULATIONS

APPROVED

Bruno Rehbein, Building Inspector explained that these ordinances are trying to get some flexibility into the sub division development regulations as well as the zoning regulations site plan requirements. The planning commission has been working on these ordinances with the direction of the commission for quite some time. Ordinance 2008-2963 allows the city commission to waive any requirement of a subdivision on a developer and that includes if the city is a developer. If someone came in with a plat and had a hard surface street, concrete curb and gutters, sidewalks, storm drainage things like that and the city commission would like to help pick up some of that cost the cost could be deferred. Commissioner Hosie asked what exactly did it mean that the city would pick up some of that cost? Rehbein explained that it would depend on each situation the city could make the developer pay the whole cost or decide to share the cost with the developer or it can be decided that the cost is unfair to the developer based on the size of the development and that cost can be disbursed. So there are quite a few options for the city commission to choose from. Commissioner Jindra made a motion to approve ordinance 2008-2963. Commissioner Hosie seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None

ORDINANCE 2008-2964

TEXT AMENDMENTS – ZONING REGULATIONS

APPROVED

Ordinance 2008-2964 the planning commission put in item F in the off street parking section to allow industrial zones to not have hard surface parking. They can either delay it, the delay is not specified in a certain amount of time, then the planning or city commission can come back at a later date and decide that it needs to be a hard surface street and the improvement will need to be done. Sections 2, 3 and 4 of this ordinance basically has to do with site plan submittal applicability requirements and it gives flexibility to the zoning administrator to waive the requirement for a site plan all together for small projects. Commissioner Hosie made a motion to approve ordinance 2008-2964. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None

MANAGER'S REPORT

City Manager Skiles . . . I am within one week of being here 9 months, so I thought maybe we should address a few things. When I took this job, to the interview committee and to the luncheon group that I met with out at the college, I mentioned that the reason I was looking to relocate was my family was not the job that I had

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at the time. It was my family and I was looking for a better setting for them. And I'll tell you the move to Concordia was in the best interest of my family. The kids like it here, like their schools, we live in a nice house in a clean neighborhood with good neighbors. My wife likes it here so you know four thirds of my battle is over.

Nine days ago my little girl Savannah, who's 6 years old, broke her leg, fell and broke her leg. It had a cyst so it was weak. Two days later we bring her home. During that time people showed up. You know the good neighbor thing. In this part of the country and it may be United States wide, I'm not sure, but whenever you experience a tragedy or an inconvenience, people show up with food. In three days we had 90 ears of corn, now that's not a bad thing, cause a little girl named Savannah loves corn on the cob. So we cleaned it and put it in the freezer and she (Savannah) is in hog heaven. People have come by to see her. She thinks it Christmas, if it wasn't for the fact that both legs are cast. This child is kind of an invalid. For a while we are going to have to try to figure out how to get her through school as Jennifer enrolled all 3 of them in school today. It's either the bed, the chair, or the wheel chair. We just pick her up and crate her around. It's a good thing it happened when she was small so she's easy to handle.

My family moved here; the wife and kids a week before spring break. Turned out to be a good move on our part. It gave Dalton, my son that will be a senior, an opportunity to meet some people before summer got here. It's been good for him, he was my concern, moving a kid that late in life. My career has jerked him through 4 high schools and that's not a good situation. It's not what I intended but that's just kind of the way things worked out. I think Dalton runs with a good group of kids here and my hats off to the parents of those kids.

About a month after I came, I was approached by two ladies...they were mature - right around that 60 mark. They introduced themselves, thanked me for coming, thanked me for taking the job, and thanked me for bringing my family here, and then they apologized. They said, 'I'm sorry for how we know our community is.' It's an insult of the greatest degree to a community that they would say that.

Concordia has a reputation it needs to work on overcoming, and it's not just statewide. I remember the first City Commission meeting I came to, I remarked that we were going to enjoy our job. That was my intention. It's not my job to make everybody happy. If it is, I've done a terrible job - I know that, but I've given an honest effort.

...You must have quality people under you that know more about what they do than you do, because I don't know. I'm not a street department supervisor, I don't know about waste water. I know nothing about planning and zoning, and I don't want to - that's Bruno's job, and he does a good job of it.

But, I do find it - I guess - immature, unprofessional, unacceptable, and unconscionable that Commissioners continue to make inferences as to staff's incompetence and honesty. That's something you can't do. There is a gulf in this room between this staff and that table. Now, there're not going to come to you, and you're not going to come to them, but you're going to have to meet in the middle somewhere.

This is my third city to be city manager or city administrator of and, believe it or not, in other cities, you will find the Commission, staff and citizens in the community on the same page - actually pulling in the same direction. I'm not sure what it is, but there is a cancerous tumor in this city that is holding you back from what you can become.

You almost exist in spite of yourself, which is a sad thing to say. There are good people in this community. I've had people, a number of them, come to me in the last month and a half and say, 'we know things are tough, but stick it out. Please stay.'

Consider this my 60 day notice. As of October 6, I will no longer be the City Manager of Concordia, Kansas. I appreciate the opportunity, but I do believe that I don't think I'm the man for the job based on the actions that I have seen coming from behind your table.

I hope you find him, or her, whatever the case may be. As was the case with my predecessor, you will find no ill remarks from me about the city of Concordia.

I did check the community out before I came. I didn't come in blind. I was told it was politically challenged. The political divisiveness in this city is greater than any I've ever seen elsewhere. I don't know why - it seems to be generational. It is something you're going to have to work past. I don't know how to do it. I know I can't. I know it's not the City Manager's job to do that. I know it's not just the Commission's job. A lot of things have to come together to make this happen, and I don't think I'm the man for the job.

Thank you.

Other than that I have no comment.

EXECUTIVE SESSION 1

At this time, Mayor Hattan moved that the commission recess into executive session for fifteen (15) minutes for discussion. Inviting: City Attorney Larry Uri. Commissioner Lanoue seconded. Motion carried 5-0 with vote being as followings:

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

Nay: None.

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Time: 6:23 p.m.

The commission reconvened at 6:38 p.m.

Mayor Hattan announced there was no action taken.

EXECUTIVE SESSION 2

At this time, Mayor Hattan moved that the commission recess into executive session for fifteen (15) minutes for discussion. Inviting: City Manager Skiles and City Attorney Larry Uri. Commissioner Lanoue seconded. Motion carried 5-0 with vote being as followings:

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

Nay: None.

Time: 6:39 p.m.

The commission reconvened at 6:54 p.m.

Mayor Hattan announced there was no action taken.

Mayor Hattan made a motion to direct City Attorney Uri to contact the League of Kansas Municipalities to start the search for a new City Manager. Commissioner Jindra seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Hosie told the commission that he had received a call from Diane Gering with the Cloud County Health Department and they are holding a reception on August 9th from 9:00am-9:30am for Senator Pat Roberts. Roberts will be available to answer questions in regards to home health care, everyone is invited to attend. Hosie also thanked the planning commission for all the hard work and long hours they put in.

Commissioner Lanoue also thanked the planning commission.

Mayor Hattan thanked his fellow commissioners for a job well done on the slurry seal project. He also said that he is shell shocked with the announcement made by the city manager and he is sorry to see him go. The commission has never asked or encouraged him to leave or expressed any dissatisfaction in his performance. He is disappointed that the community did not offer him what he was looking for and they will try to do better next time.

STAFF COMMENTS

Larry Eubanks, Fire Chief told the commission that the fire department had received a \$1,550 grant from State Farm Insurance for smoke detectors.

ADJOURN

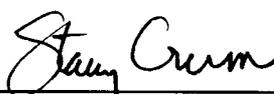
Mayor Hattan stated that there will be a study session following the adjournment of the meeting.

Mayor Hattan made a motion to adjourn. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

Yea: Mayor Hattan, Commissioner Johnson, Jindra, Hosie and Lanoue.

Nay: None

(Seal)



 Stacey Crum
 City Clerk