

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD NOVEMBER 18, 2009

The governing body met in regular session on November 18, 2009, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Jindra, Johnson, Lanoue, and Hosie.

Absent: None.

Other Officers: City Manager Uri, Finance Director Farha, and Deputy City Clerk Hicks.

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

Visitors: Jessica LeDuc, Toby Nosker, Bruce Johnson, Jean Rosemarynoski, Ron Copple, Steve Wetter, Don Lanoue, Ryan Neal, Tom Tuggle, Eric Johnson, Larry Eubanks, Joe Hamel, Marcia Allen, Marvin Copple, Rev. Sandra Moore, Thaniel Monaco, Janet Eubanks, Alan Corbeil, John Alexander, Arlene Clayton.

Rev. Sandra Moore gave the invocation, followed by the reciting of the Pledge of Allegiance.

Mayor Hattan asked for changes to the agenda. City Manager Uri stated there were no changes to the agenda.

APPROVAL OF MINUTES**APPROVED**

Commissioner Johnson moved to approve the minutes of the October 21, 2009, and the November 4, 2009, meetings. Commissioner Lanoue seconded. Motion Carried unanimously.

APPROPRIATION ORDINANCE NO. #20**APPROVED**

Commissioner Hosie moved to approve appropriation ordinance #21. Commissioner Johnson seconded. Motion carried unanimously.

PUBLIC COMMENTS

Tom Tuggle spoke on the creation of the TIF district and the way it was presented to the public and business owners, the TIF reimbursement for the Shady Lake Development Agreement, and the Home Store Redevelopment Project. Mayor Hattan expressed a different viewpoint on the subject.

Steve Wetter of the Home Store asked the commission if they had any questions or comments about the Home Store redevelopment project. Commissioner Jindra thanked Mr. Wetter for his company's contribution to the project.

Joe Hamel commented on an article in the Blade-Empire regarding the 21st Street Dam, and expressed his approval that the City is working toward completing the project.

Kirk Lowell discussed the possibility of financing certain sidewalk and curb and gutter improvements requested in connection with the Homestore TIF project. Mayor Hattan suggested that the city could consider the proposal if additional TIF funding became available as a result of improvements that are being made to other properties in the area.

PUBLIC HEARING:**CURB AND GUTTER PROJECT**

Ron Copple explained that there were five (5) curb and gutter projects in 2009. The property owners pay for the materials, and the City pays for labor and equipment. Mayor Hattan asked if any property owners were present; there were none. Mayor Hattan moved to close the public hearing. Commissioner Lanoue seconded. Motion carried unanimously.

OLD BUSINESS:**DISCUSSION ON FLOOD CONTROL PROJECT****PASSED**

City Manager Uri explained that when he and Commissioners Jindra and Hosie go to Washington D.C. to speak on behalf of Concordia's Dam Project, they will discuss two options: financing the project through the Corps of Engineers or financing the project through other federal programs, Mayor Hattan stated that the Corps has requested an answer by December 1, 2009, whether the City can pay the \$200,000 toward the next phase of the study.

The commissioners discussed the recent report of the Corps of Engineers and the options for funding the city's share of the next phase of the Corps study.

Commissioner Johnson moved to comply with the Corps' request to commit to paying \$200,000 toward the next phase of the dam project. Mayor Hattan seconded. Motion carried 4-1, with Commissioner Hosie opposing.

Mayor Hattan moved to pay for the Corps of Engineers study out of the TIF fund and initiate the proper procedure to make it a TIF project. Commissioner Lanoue seconded. Motion passed 3-2, with Commissioners Hosie and Jindra opposing.

NEW BUSINESS:

CORBEIL – 13TH STREET

City Manager Uri explained that Alan Corbeil, with C Properties LLC, had addressed the commission at an earlier date requesting that the City either open and pave 13th Street, or close and abandon it. He stated that the staff does not recommend abandonment of the street.

Mr. Corbeil explained that about \$1.9 million has been spent on the properties and improvements in that area. He explained that C Properties has contributed largely toward the development, and has not asked for any tax abatements on the properties, or any other funding. He is now requesting that the City finish paving 13th Street.

After a discussion of the alternatives for the project, the commission directed the staff to prepare an estimate of the cost of putting in a gravel street.

RESOLUTIONS:

2009-1855 CTI ANNEXATION

APPROVED

City Manager Uri explained that these resolutions are to initiate the process of annexation for the north development project. The next step is to ask the county to make certain findings with respect to the project, which are the recommendations included with the following three (3) resolutions. Mayor Hattan asked how the tracts of land would be zoned during the annexation. Bruno Rehbein explained that every new property is zoned residential when it comes into the City, unless previously requested to be agricultural.

Commissioner Jindra moved to approve resolution 2009-1855. Mayor Hattan seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Jindra, Johnson, Hosie, and Lanoue.

Nay: None.

2009-1856 KDOT ANNEXATION

APPROVED

Commissioner Hosie moved to approve resolution 2009-1856. Commissioner Johnson seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Jindra, Johnson, Hosie, and Lanoue.

Nay: None.

2009-1857 CLOUDCORP ANNEXATION TRACT

APPROVED

Commissioner Jindra moved to approve resolution 2009-1857. Mayor Hattan seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Jindra, Johnson, Hosie, and Lanoue.

Nay: None.

2009-1858 UNSAFE AND DANGEROUS STRUCTURE AT 319 E. 17TH

APPROVED

Commissioner Hosie stated that he would abstain from voting due to a conflict of interest.

Mayor Hattan moved to approve resolution 2009-1858. Commissioner Jindra seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Jindra, Johnson, and Lanoue.

Nay: None.

Abstain: Commissioner Hosie.

ORDINANCES:

2009-2983 2009 CURB AND GUTTER PROJECTS

APPROVED

Commissioner Jindra moved to approve ordinance 2009-2983. Commissioner Johnson seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Jindra, Johnson, Hosie, and Lanoue.

Nay: None.

EXECUTIVE SESSION:

Mayor Hattan moved that the commission recess into executive session for twelve (12) minutes for a preliminary discussion for acquisition of real estate, inviting City Manager Uri. Commissioner Jindra seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Jindra, Johnson, Hosie, and Lanoue.

Nay: None.

Time: 7:03 p.m.

The commission reconvened at 7:15 p.m.

Mayor Hattan announced there was no binding action taken.

MANAGER'S REPORT

City Manager Uri said it will be January before the city learns whether it has received a CDBG grant for the Broadway sewer. He also noted that the City has received KDOT's transfer of funds for \$128,730 for the engineering on the north development project. He gave updates on the electric utilities for the north development and on the police chief search.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Johnson asked about the status of the Blosser Municipal Airport master plan agreement with HWS Consulting Group. Kirk Lowell said the Board is reviewing the zoning for the airport, and will then submit it into the master plan. The zoning ordinance must go before the Planning Commission before submission into the plan. The preliminary layout had to be approved before the money could be spent on the engineering. The Federal Aviation Administration (FAA) will not fund more than two (2) runways: a main runway and one crosswind runway. Mr. Lowell says the delay in the master plan is due to a difference of opinion on the Airport Advisory Board.

Commissioner Johnson asked about the monthly finance report which showed the police communication fund being 1,662% over budget. Amber Farha explained that the City was originally supposed to receive the full amount of the Governor's Grant for improving police communications for \$88,000, but that they only received \$33,000 of it. Commissioner Lanoue questioned why the money was taken from the 911 fund. Mrs. Farha said she could put all of it into said fund, but that a budget amendment would need to be done. The City had budgeted for receiving the full amount of the grant immediately, then spending the money on improvements. Since the grant money didn't come in, the improvement cost needed to come out of another fund.

Commissioner Hosie said Joe Fakler had notified him that the donated Boy Scout gazebo is nearly complete and ready to be moved to the park. He saw it and was very pleased with it.

Commissioner Lanoue asked why the SRO fees are down. Mrs. Farha said she would check into it. Commissioner Lanoue said the due dates on her utility bills are not the same anymore, meaning the billing process has changed. She believes this has caused a drop in revenue. City Manager Uri said they would check into the reason for changing the billing process. Commissioner Lanoue asked if they were going to receive the sales tax sheets. Mrs. Farha explained that the commission has already received the most recent updated sales tax sheets.

Mayor Hattan commented on the city manager's memo about the minutes from Salina, saying he preferred more commentary in our minutes. The Salina minutes didn't have much detail. He said not a lot of people watch the videos of the meetings or are able to attend them, so there should be sufficient information in them so that the public knows what occurred at the meetings.

STAFF COMMENTS:

BRUCE JOHNSON – POLICE REPORT

Bruce Johnson has provided the commission with the crime stats from 2008 up through October 2009. This report showed which crimes were decreasing in frequency, and which crimes were increasing. Commissioner Lanoue asked for more detail in the reports. Mayor Hattan asked why some crimes are reported to the media, and others are not. Interim police Chief Johnson answered that it depended on whether there was an ongoing investigation, if any arrests were made, or other factors. He explained that the general public is

allowed access to page one of the Kansas Standard Offense Report, and that is typically what is reported to the media. This page includes the date, offense, victim and defendant. It does not include details of the case leading up to the arrest. He also explained that the Kansas Bureau of Investigation (KBI) has had recent budget cuts causing a delay in the City's receiving results from evidence submissions.

CHAD BUCKLEY – NORTH DEVELOPMENT UPDATE ON BOOSTER STATION AND SEWER

Chad Buckley provided the commission with the engineering design report from BG Consultants, and invited Thaniel Monaco to help answer any questions. Mayor Hattan quoted page one of the report which stated that the City would be supplying water service to the truck stop, CTI and KDOT. He thought the truck stop was not going to be using City services. Mr. Monaco explained that it must be considered as a possibility that the City would supply services to the truck stop, and/or some other entities, such as CloudCorp. Other aspects of the project were discussed.

LARRY EUBANKS – S.A.F.E.R. PERSONNEL GRANT UPDATE

Larry Eubanks informed the commission about the S.A.F.E.R. personnel grant which would allow the City to hire a new full time employee, whose compensation, including cost of insurance and base pay, would be paid for by the grant for the first two (2) years. The third year is paid for in full by the City. There was a discussion of the merits of the application, with Mayor Hattan stating he would prefer that the staff continue with the overtime rather than paying another employee.

Commissioner Jindra moved to pursue the S.A.F.E.R. personnel grant. Commissioner Johnson seconded. Commissioner Lanoue echoed Mayor Hattan's statements, saying the street department had been cut three positions and the street department, building inspector and police department were continually asked to do more without additional positions. Motion carried 3-2, with Commissioners Hattan and Lanoue opposing.

RON COPPLE

Ron Copple announced that Kansas Wildlife and Parks has approved his request to put the Boy Scout gazebo in the city park. Wildlife and Parks gave the City a grant in the 1970s to pay for the construction of the pool. In accordance with the grant, the City must get permission before doing any improvements to the park.

BRUNO REHBEIN

Bruno Rehbein gave an update on the Cedar Street project, saying the sewer should be capped soon, and that Dig Safe has already been called.

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)


Sara Hicks
Deputy City Clerk