

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 4, 2009

The governing body met in regular session on February 4, 2009, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Mayor Hattan, Commissioners 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, Jean Rosemary Noski, Marcia Allen, Kirk Lowell, Megan Murdock, Katrina Sorell, Bruno Rehbein, Brandon Lynn, Tony Studt, Danny Parker, Judy Lambert, Darrell Lambert, Regina Ann Brummel, Don Lanoue, Jim Ganson, Ron Deal, Larry Remmenga, Larry Eubanks, Ron Copple, Marvin Copple, S. Judy Stephens, Janet Eubanks, Tammy Britt, Everett Ford, Ruby Maline.

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

Mayor Hattan asked for changes on the agenda. Interim City Manager Uri added public discussion after the executive session for non-elected personnel.

APPROVAL OF MINUTES

APPROVED

It was brought to Interim City Manager Uri's attention that the second executive session's time should be changed to say 10 minutes, rather than 12 minutes. Commissioner Lanoue asked that Beldon Blosser's attorney's name be added in brackets as being invited to the executive session.

Mayor Hattan moved to approve the minutes of the January 21, 2009, meeting as amended. Commissioner Lanoue seconded. Motion carried unanimously.

APPROPRIATION ORDINANCE NO. #2

APPROVED

There were no comments.

Commissioner Hosie moved to approve appropriation ordinance #2. Commissioner Lanoue seconded. Motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARING

HELD

The unintentional discrepancy between the budget as published and the budget as approved was explained to the public. Commissioner Johnson asked about the \$43,508 difference in nondepartmental, and received clarification from Ruby Maline that this was the difference between original budgeted revenues and original budgeted expenditures and relates specifically to delinquent taxes that were not paid and the accompanying penalty. Commissioner Hosie said he would like to see the \$21,724 extra funds generated by this discrepancy placed in a separate line and added into the unencumbered balance for 2010. This would help reduce the mill levy for 2010. Mayor Hattan agreed it would be best to address these funds during the budget process. Interim City Manager Uri stated that the funds would be separately tracked.

Mayor Hattan moved to close the public hearing. Commissioner Johnson seconded. Motion carried unanimously.

APPOINTMENTS

**BOARD OF ZONING APPEALS
HOUSING AUTHORITY**

Bruno Rehbein recommended appointing Cathy Miller to fill a position vacant for over a year, and Ted Samuelson, who has served for many years and expressed an interest to continue on the board.

Mayor Hattan moved to appoint Cathy Miller and Ted Samuelson to the Board of Zoning Appeals. Commissioner Lanoue seconded. Motion carried unanimously.

Mayor Hattan moved to appoint Cathy Miller to the Housing Authority board. Commissioner Hosie seconded. Motion carried unanimously.

NEW BUSINESS

AMBULANCE BILLING

Interim City Manager Uri said that the process has begun to bring ambulance billing back in-house with a staff member beginning training. The software now needs purchased for an approximate cost of \$1000. Commissioner Hosie expressed reservations, as DeLisa's Medical Billing has far surpassed collections received compared to prior years. Although Commissioner Jindra agreed with Commissioner Hosie, he said it was a manager decision and the commission should not override this.

DEED TO HISTORICAL SOCIETY

Nine (9) feet of the property at 6th & Lincoln needs deeded to the Historical Society in order for the wall project to be completed, giving room for the bricks. The entire property, with the parking lot, could not be deeded as the State had given the City money for a public parking lot.

Mayor Hattan moved to approve the deed to the Historical Society. Commissioner Lanoue seconded. Motion carried unanimously.

DEMOLITION PROGRAM

507 E. 6th

Bruno Rehbein discussed 507 E. 6th as a demo project. These projects can't be completed until after March 1, allowing for the completion of the new demolition pit at the landfill.

Commissioner Johnson moved to accept 507 E. 6th as a demo project. Commissioner Lanoue seconded. Motion carried unanimously.

STREET IMPROVEMENT ENGINEERING CONTRACTS

Public Works Director Ron Copple and Interim City Manager Uri talked of the stimulus money coming out of Washington, and how these projects could possibly be used for funds the City may receive. However, most projects would need to be "shovel-ready" for the funds to be appropriated. The projects are as follows:

<i>Project</i>	<i>Design Cost</i>	<i>Total Project Cost</i>
5 th Street	\$106,124.00	\$1,575,532.50
18 th Street	\$ 71,300.00	\$ 866,340.00
Washington Street Storm Sewer	\$ 6,750.00	\$ 82,350.00

Commissioner Lanoue asked if any of the projects contained a highway, as she had heard this federal money would go for highways and bridges. Mr. Copple answered that the 5th Street project covered the highway. He also added that 18th Street is on the five year plan. Mayor Hattan received clarification that if these projects were given the go-ahead for the design work, and no federal money was available, there would not be money left for the slurry seal program for 2009. Commissioner Hosie expressed concerns over this, given the fact that the City went many years without sealing the streets. Commissioner Johnson asked if all streets could be finished this year. Mr. Copple said that the slurry seal project would be completed by 2012. For a project that will be ready to go, engineering for the sewer on Broadway project was approved a few weeks ago and any federal funds could possibly be used on that. It was the consensus of the commission that the slurry seal project is too important to sacrifice.

FIREFIGHTER'S RELIEF FUND

Larry Eubanks explained that this gives 1% of fire insurance that the State of Kansas gets, which amounts to approximately \$10,000 per year. This fund helps families of fallen firefighters. In the past, Engine #2 was purchased with this money, on a 0% interest loan to the City.

Commissioner Lanoue moved to authorize the mayor to sign the firefighter's relief fund agreement. Commissioner Johnson seconded. Motion carried unanimously.

ORDINANCES

#2009-2974 BUDGET AMENDMENT

PASSED

This ordinance relates to the earlier public hearing. Mayor Hattan restated the idea of addressing these funds of \$21,724 during the next budget process.

Commissioner Johnson made a motion to approve ordinance #2009-2974. Mayor Hattan seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

EXECUTIVE SESSION – NON-ELECTED PERSONNEL**HELD**

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for the preliminary discussion of non-elected personnel. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:54 p.m.

The commission reconvened at 7:04 p.m.

Mayor Hattan announced there was no binding action taken.

EXECUTIVE SESSION – NON-ELECTED PERSONNEL**HELD**

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for the preliminary discussion of non-elected personnel. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 7:05 p.m.

The commission reconvened at 7:15 p.m.

Mayor Hattan announced there was no binding action taken.

Mayor Hattan discussed the ongoing city manager search. Of the four interviewed, Tony Studt and Larry Uri were given second interviews. There was discussion by all commissioners on the pros and cons of both candidates.

Commissioner Johnson moved to hire Tony Studt as city manager. Motion died for lack of a second.

Mayor Hattan moved to continue Larry Uri's interim contract through 2009 on the same terms, and include provisions for ICMA and Kansas City Managers Association, to have access to his membership in those organizations. Commissioner Lanoue seconded. Motion carried 4-1 with the vote being as follows:

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

Nay: Commissioner Johnson.


Mayor Hattan thanked Tony Studt for his interest in this position.

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 Grum
 City Clerk