

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

The governing body met in regular session on March 18, 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, Don Lanoue, Jean Rosemary Noski, Kirk Lowell, Connie Walenta, Linda Houser, Marvin Copple, Susan Sutton, Bruno Rehbein, Ron Copple, Lou Frohardt, Cory Shipley, Shirley Gropp, Chris Workman, Ron Deal, Nick Gerard, Patricia Gerhardt, Marcia Allen, Larry Remmenga, Cameron Presler, Larry Eubanks, Muriel Anderson, Ray Palmer, Ruby Maline.

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

Mayor Hattan asked for changes on the agenda. There were none.

RESOLUTIONS:

2009-1832 ORPHAN TRAIN PARKING LOT ARRA 2009

PASSED

Interim City Manager explained that this resolution was placed in the meeting early on, because the paperwork needed to be postmarked by today. As an historical site, this project is eligible for government stimulus money available for non-traditional uses of transportation money. Plans had already been drawn up for a parking lot but there had not been funds to do the project.

Commissioner Jindra made a motion to approve resolution 2009-1832. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

APPROVAL OF MINUTES

APPROVED

Commissioner Johnson questioned the minutes he'd wanted changed from the Feb. 4 meeting. A new copy was made available making those requested changes.

Commissioner Hosie moved to approve the minutes of the March 4, 2009, meeting. Commissioner Lanoue seconded. Motion carried unanimously.

APPROPRIATION ORDINANCE NO. #5

APPROVED

Commissioner Johnson asked about the check written to EMC Insurance. Interim City Manager Uri said that a claim had been filed against the city by a citizen who thought a mower had damaged his truck. The claim had been paid by EMC, and the money paid by the city was the \$500 deductible.

Commissioner Johnson moved to approve appropriation ordinance #5. Mayor Hattan seconded. Motion carried unanimously.

PROCLAMATION

Cameron Presler was on hand to request that the month of April 2009 be proclaimed as Sexual Assault Awareness Month. Mayor Hattan signed the Proclamation.

PUBLIC COMMENTS

Patricia Gerhardt was interested in receiving an update on the dam project. Interim City Manager Uri said that he had discussed the project with the Corps of Engineers and they were doing a study to assess the amount of damage that would be done should the dam break. If the report meets their criteria, a further study will be done. A recent press release issued by Senator Brownback's office mentioned the city's dam project as a possible recipient of funding from the congressional appropriations bill.

OLD BUSINESS:

INSURANCE PROPOSALS

Connie Walenta of Kastl-Powell Insurance Agency presented her bid for the city's liability insurance and discussed the merits of her company. Commissioner Lanoue noted the difference of the Brown Grand

Theatre's value from Ms. Walenta's bid of \$3,000,000, rather than the currently insured price of \$6,500,000. Commissioner Lanoue received clarification that this amount covered the contents of the theatre as well as functional replacement value back to the current historic design.

Shirley Gropp of People's Insurance, who recently received the rights to become the city's EMC Insurance carrier, was also on hand.

The bids were as follows:

Kastl-Powell Agency	\$123,919
People's Insurance	\$ 99,292

Interim City Manager Uri explained the insurance renewal process, and recommended a one year approval, rather than three, to put this up for bids next year to give all insurance companies enough time to bid. Interim City Manager Uri also commented that EMC Insurance's bid was down \$10,000 from last year. The People's Insurance bid was \$99,292, and Kastl-Powell's bid was \$123,919.

Mayor Hattan moved to accept the bid from People's Insurance for \$99,292. Commissioner Lanoue seconded. Motion carried unanimously.

NEW BUSINESS:

CMB LICENSE

AMERICAN LEGION CLUB 76, INC.

It was determined that this location is at the National Guard Armory.

Commissioner Hosie moved to approve the CMB License for American Legion Club 76, Inc. Commissioner Lanoue seconded. Motion carried unanimously.

ACCEPT TOWER AGREEMENT WITH CONCORDIA TRACTOR

Interim City Manager Uri said that Concordia Tractor was requesting to place an antenna on the water tower for GPS purposes, for farming. The agreement would be \$100 per month, which would be a one year contract that would then renew month to month.

Commissioner Lanoue asked about the section of the agreement that said the city would be responsible for maintenance during business hours, and wanted to know about overtime if work needed done after hours. Larry Remmenga said that Concordia Tractor would pay for after hours service.

Commissioner Johnson made a motion to approve resolution 2009-1834 and to accept the tower agreement with Concordia Tractor. Commissioner Jindra seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

AMENDMENT TO ANIMAL ORDINANCE

PASSED

Interim City Manager Uri presented the ordinance, which would allow publicly funded educational organizations to keep animals in the city limits. Lou Frohardt, dean of applied sciences at the college, was on hand to explain why his department would benefit from this amendment. With the current equine program, no horses can be kept on site. Partnering with a thoroughbred retirement foundation, the horses will be placed at the college for adoption purposes and will be used for the equine classes.

Commissioner Jindra requested the addition of the words "post secondary" to section 17 to exclude this ordinance from covering the high school. Commissioner Johnson requested the addition of an omitted word in section 13.

Commissioner Jindra made a motion to approve ordinance 2009-2975 with the changes. Commissioner Hosie seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

DONATION OF AIRPORT COURTESY CAR

Kirk Lowell discussed the donation of a 1983 Lincoln Town Car to be used by the city as an airport courtesy car. The car was donated by Ray Palmer of Glasco. This car can be used by those flying in. The city's insurance will provide coverage.

Commissioner Jindra moved to approve the donation of the airport courtesy car. Commissioner Lanoue seconded. Motion carried unanimously.

RESOLUTIONS:

2009-1833 FIRE INSURANCE PROCEEDS

PASSED

Bruno Rehbein stated this resolution has to do with insurance proceeds on a fire damaged home that's currently declared unsafe. A public hearing is set for May 6 to declare whether 424 W. 16th should be repaired or demolished.

Commissioner Hosie made a motion to approve resolution 2009-1833. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

MANAGER'S REPORT

Interim City Manager Uri said the city has under appeal penalties and interest to the IRS concerning payments from 2008. The IRS has requested form 2848, power of attorney, giving Interim City Manager Uri official authorization to sign documents that have already been sent to the IRS on this matter. He asked that the mayor be authorized to sign form 2848.

Commissioner Johnson moved to authorize the mayor to sign form 2848. Commissioner Lanoue seconded. Motion carried unanimously.

In regards to a meeting requested at a previous time by Commissioner Jindra to bring the TIF partners up to date, Interim City Manager Uri asked for a date for said meeting. Mayor Hattan requested a report be sent to all involved first, to promote discussion at the meeting.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Jindra expressed congratulations to the high school girls' basketball team on winning state. He suggested public acknowledgment of some sort to recognize the accomplishment. Commissioner Jindra also noted that KNCK is showing the videotaped commission meetings on its website, and that he would not be in attendance at the April 1 meeting.

Commissioner Johnson said he would like to see the commission dais turned around, to allow the commissioners to see each other better. Interim City Manager Uri said that this would be addressed. Commissioner Johnson also would like the commission to be allowed to discuss the confidentiality report with Computer Solutions.

Commissioner Lanoue also offered her congratulations to the basketball team, and that in the past the city has formally recognized the winning teams.

Mayor Hattan congratulated the girls' team, and expressed a job well done on the coverage of the tournament by the local newspaper and radio station.

STAFF COMMENTS

Ruby Maline presented a report comparing general fund budget to actual through February 2009 as well as graphs showing a comparison between 2008 and 2009 general fund revenues and expenditures.

Larry Eubanks said that staff had traveled to York, Nebraska, to pre-inspect the new fire truck, and that it would be in the city's possession later this week.

Commissioner Johnson requested that the study session be filmed.

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 Crum
City Clerk

CITY OF CONCORDIA

PROCLAMATION BY THE MAYOR

WHEREAS, sexual assault is an intolerable violent crime with public health implications for every person in **Concordia** as a victim/survivor or as a family member, significant other, neighbor or co-worker of a victim/survivor; and

WHEREAS, no one person, organization, agency or community can eliminate sexual assault on their own—we must work together to educate our entire population about what can be done to prevent sexual assault, support victim/survivors and their significant others, and increase support for agencies providing services to victim/survivors; and

WHEREAS, **The Domestic Violence Association of Central Kansas** has led the way in **Concordia** in addressing sexual assault by providing 24-hour hotline services to victim/survivors and their significant others, responding to emergency calls, offering support and comfort to those impacted by sexual assault during medical exams, criminal proceedings, and empowering those impacted by sexual assault to chart their own course for healing; and

WHEREAS, ending sexual assault in **Concordia** must include active public and private efforts to End Sexual Violence in collaboration with **The Domestic Violence Association of Central Kansas**, including conversation about what sexual violence is, how to prevent it, how to help survivors connect with crucial counseling and other support services, and how every segment of our society can work together to better address sexual violence; and

WHEREAS, staff and volunteers of sexual assault programs in **Concordia** work year round to encourage every person in **Concordia** to End Sexual Violence and to support survivors by providing prevention education and survivor empowerment information to schools, churches, civic organizations, as well as medical, mental health, law enforcement, education, and criminal justice personnel regarding sexual assault issues;

WHEREAS, **The Domestic Violence Association of Central Kansas** has set an important example of how forging collaborative relationships between service agencies and organizations serves to improve the quality of service for those most profoundly and directly impacted by sexual violence, thus setting an important example for how the rest of the community might work together to speak out and find solutions to sexual violence;

WHEREAS **The Domestic Violence Association of Central Kansas** requests public support and assistance as it continues its effort to bring real hope for freeing **Concordia** from the tragedy of sexual violence to create a future where all women, men and children can live free from violence and exploitation;

NOW, THEREFORE, I **Greg Hattan**, Mayor of **Concordia, Kansas** do hereby proclaim the month of April 2009 as

SEXUAL ASSAULT AWARENESS MONTH

L In Concordia and I commend this observance to all citizens.

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Gregory Z. Hattam
Mayor's Signature

3-18-09
Date

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