

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JUNE 17, 2009**

The governing body met in regular session on June 17, 2009, 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.

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, Bob Burns, Jim Stromberg, Danny Parker, Sr. Judy Stephens, Don Lanoue, James Ganson, Ron Copple, Sara Hicks, Megan Murdock, Wade Carter, Gloria Hamch, Jill Hamel, Marvin Copple, Ivadell Christian, Jim Wahmeier, Patricia Gerhardt, Elaine Yoxall, Ken Johnson, Larry Remmenga, Ron Deal, Larry Eubanks, Crystal Paredes, Kirk Lowell, Jim Winter, Frankie Hottman, Darlene Hepperly, Pearl Townsend, Jean Swiercinsky, Dean Williams, Joyce Williams, Betty Remmenga, John XXX, Alan Holland, Amber Hein.

Pastor Bob Burns 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 an executive session for non-elected personnel. To facilitate the large number of interested residents, the Corps of Engineers report was moved to the first item under old business. Item C, curb & gutter applications, was removed under new business, along with the corresponding resolution.

**APPROVAL OF MINUTES**

**APPROVED**

There were no comments.

Commissioner Johnson moved to approve the minutes of the June 3, 2009, meeting. Commissioner Lanoue seconded. Motion carried unanimously.

**APPROPRIATION ORDINANCE NO. #11**

**APPROVED**

Commissioner Johnson said that the copies of purchasing cards receipts that were received in the packets were not complete. Commissioner Johnson asked if the auditor payment was the final payment. Interim City Manager Uri said it was not. Commissioner Johnson asked why the city was paying for the title search for a demo house. Interim City Manager Uri said that the cost was passed on to the homeowner. Commissioner Lanoue questioned the Concordia Motorsports payment. Interim City Manager Uri answered that it was a race donation.

Commissioner Johnson moved to approve appropriation ordinance #11. Mayor Hattan seconded. Motion carried unanimously.

**PUBLIC COMMENTS**

There were no comments.

**OLD BUSINESS:**

**CORPS OF ENGINEERS REPORT ON FLOOD CONTROL PROJECT**

John Grothaus and Alan Holland of the Corps of Engineers presented a power point presentation on their recommendation of the city's future plans for the dam. The city needs a feasibility study in order to complete the project for a 50-50 cost sharing. The Corp's preliminary findings included: 1) Remove the dam (don't recommend), 2) Reconstruct 20<sup>th</sup> St. dam with modern reliability (almost 100 year protection) at a cost of \$1,454,000, or 3) Reconstruct 20<sup>th</sup> St. dam and robust upstream storage (500 year protection) at a cost of \$5,606,000. The feasibility study completion is estimated to cost approximately \$300,000, at a cost to the city of \$150,000.

Because the Corps puts out funding requests two years in advance, they are asking for a commitment from the commission on the project in the near future in order to go forth. The request is already in for the \$150,000 for 2010. Construction could be expected to begin in 2012 or 2013, with completion in 2013 or 2014.

The Corps will provide the city with a written report of the results of the recently completed risk management study. The Corps will also provide the city with a letter describing the next stage of the planning process and establishing the exact amount of the city's required contribution. The Corps will also provide the city with a format for a letter requesting that the Corps proceed with the next phase.

**KDOT STIMULUS GRANT CONTRACT APPROVAL**

This agreement is for stimulus funds for the 5<sup>th</sup> Street project, State Street to Davies Drive. The total cost of the project is \$450,283, with the state's participation at \$425,283. Anything over this cost will be the city's responsibility.

Commissioner Johnson had questions and concerns over the language of certain sections.

Commissioner Hosie moved to approve the KDOT stimulus grant contract. Commissioner Lanoue seconded. Motion carried unanimously.

**NEW BUSINESS:**

**CHAMBER OF COMMERCE FIREWORKS DONATION**

The money requested will help the Chamber fund the annual city fireworks display. No action was needed.

**DEMOLITION PROGRAM – 507 E. 6TH**

Bruno Rehbein presented the expenses for the demo program on 507 E. 6<sup>th</sup> to be refunded to the homeowner now that the project has been completed.

**ORDINANCES:**

**2009-2976 EMC ADJUSTED RATES**

**PASSED**

Fire Chief Larry Eubanks said he'd done a study of ambulance runs from 2007, 2008 and 2009. He'd found the average cost per run in 2007 was \$590, and is now \$695. The average cost per long distance transfer was \$1227 in 2007, and is now \$1266.

Mayor Hattan made a motion to approve ordinance 2009-2976. Commissioner Hosie seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

**2009-2977 BROKEN WINDOW ORDINANCE**

**PASSED**

The ordinance allows for the responsibility of property owners to see there are not temporary coverings on the exterior in the downtown business district for more than thirty (30) days. It is not a nuisance ordinance; offenders can be fined.

Commissioner Hosie made a motion to approve ordinance 2009-2977. Mayor Hattan seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

**RESOLUTIONS:**

**2009-1839 UNSAFE STRUCTURE 435 E. 1<sup>ST</sup>**

**PASSED**

The resolution authorizes the city to set a public hearing to deem 435 E. 1<sup>st</sup> as unsafe and dangerous.

Commissioner Hosie made a motion to approve resolution 2009-1839. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

**2009-1840 BONDS FOR CONSTRUCTION OF WASTEWATER TREATMENT FACILITY IMPROVEMENTS**  
**PASSED**

This resolution involves the possibility of general obligation bonds not to exceed \$300,000 for the wastewater treatment facility improvements.

Mayor Hattan made a motion to approve resolution 2009-1840. Commissioner Lanoue seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

**2009-1841 CONSTRUCTION OF SEWAGE DISPOSAL WORKS**

**PASSED**

This resolution involves the possibility of general obligation bonds not to exceed \$200,000 for the wastewater treatment facility improvements.

Mayor Hattan made a motion to approve resolution 2009-1841. Commissioner Johnson seconded. Motion carried 5-0 with the vote being as follows:

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

Nay: None.

**EXECUTIVE SESSION – PRELIMINARY DISCUSSION FOR REAL ESTATE ACQUISITION** **HELD**

Mayor Hattan moved that the commission recess into executive session for ten (10) minutes for the preliminary discussion of real estate acquisition. Inviting: Interim City Manager Uri. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:55 p.m.

The commission reconvened at 7:05 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. Inviting: Interim City Manager Uri. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 7:06 p.m.

The commission reconvened at 7:16 p.m.

Mayor Hattan announced there was no binding action taken.

**MANAGER’S REPORT**

Interim City Manager Uri reminded the commission that Utilities Director Larry Remmenga's last day of service is June 30, and invited the public to a reception at city hall on June 26. Interim City Manager Uri read a list of accomplishments during Mr. Remmenga's tenure with the city.

Mr. Remmenga notified the commission that the previous night there was a sewer backup at the old Wal-Mart location. This being an ongoing problem area, he asked the commission for permission to go out for bids for the project. The engineering has already been done. The estimate is \$43,000 and there is money on hand for this project.

Commissioner Johnson moved to approve accepting bids for the project. Mayor Hattan seconded. Motion carried unanimously.

Discussion ensued on the purchasing cards. Ideas were discussed on how to handle tracking, and make the reports more concise. Those opposing the everyday use of the cards spoke. It was suggested that they be used only for travel and online purchases. Interim City Manager Uri said he would check into the best way to handle future purchases.

**MAYOR/COMMISSIONER COMMENTS AND REPORTS**

Commissioner Johnson asked about franchise fees, and if all are being collected. Interim City Manager Uri said he would be working with the finance director on the budget, and this would be addressed. Commissioner Johnson said he would like a simple, itemized report on revenues. Interim City Manager Uri said we were working on that. Commissioner Johnson asked about the Brown Grand roof. Ron Copple said that within a week, plans were to begin the work. Commissioner Johnson said the shelter houses needed painted and cleaned. Mr. Copple said it was being done now. Commissioner Johnson said a sign on Country Club Drive was covered with tree limbs. Mr. Copple said that would be taken care of. Commissioner Johnson asked for a sign designating the turning and through traffic lanes on 6<sup>th</sup> and Lincoln. Commissioner Johnson asked if ambulance billing was back in house. Interim City Manager Uri said we're in the process of that now.

Commissioner Hosie asked about pool attendance and concessions. Interim City Manager Uri promised an update of this at the next meeting. Commissioner Hosie commended Larry Remmenga on a job well done.

Commissioner Lanoue spoke of the success of Airport Day. She thanked Larry Remmenga for his years of service.

Mayor Hattan congratulated Larry Remmenga on his retirement. He wished Amber Hein best wishes on her upcoming marriage. He thanked Katrina Sorell for her willingness to take on ambulance billing.

**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 Johnson seconded. Motion carried unanimously.

(Seal)

  
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Stacey Crum  
City Clerk

**ATTACHMENTS**

**IN**

**FILE**