

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD JANUARY 20, 2010

The governing body met in regular session on January 20, 2010, 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 City Clerk Crum.

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

Visitors: Jessica LeDuc, Toby Nosker, Mark Morgan, Bev Mortimer, John States, Johnita Crawford, Marcia Allen, Jolene Kindel, Gary Caspers, Ron Deal, Kirk Lowell, Les Evans, Doug Jackson, Gary Fraser, Charley Lowers, Marvin Copple, Phil Gilliland, Jean Rosemarynoski, Don Lanoue, Susan Retter, Arlene Clayton, Suzy Tuggle, Don Dean, Ken Johnson, Thaniel Monaco, Harley Adams, Tom Tuggle, John Hood, Allan Miller, Chuck Look, Jim Coash, Dana Brewer, Bruno Rehbein, Chad Buckley, Larry Eubanks, Ron Copple, Bruce Johnson.

Rev. John States gave the invocation, followed by the reciting of the Pledge of Allegiance.

Mayor Hattan asked for changes to the agenda. City Manager Uri said that perhaps since such a large number of interested people were in attendance for the TIF discussion under old business, that whoever wished to be allowed to speak at that time. Commissioner Jindra requested an executive session for non-elected personnel at the end of the meeting.

APPROVAL OF MINUTES**APPROVED**

Commissioner Hosie moved to approve the minutes of the January 6, 2010, meeting. Commissioner Lanoue seconded. Motion carried unanimously.

APPROPRIATION ORDINANCE NO. #1**APPROVED**

Commissioner Johnson asked about the charge for "used turf with markings". Ron Copple said this was used artificial turf he purchased for the batting cages and pitching mounds. Commissioner Johnson stated there were large charges on the purchasing cards, including this one for almost \$1000, and he did not think purchases that large were to be charged on the cards. Commissioner Johnson said this did not allow for the commission to approve the charges before the vendor was paid. Commissioner Lanoue wanted to know the limits on the department heads' cards. City Manager Uri said he did not know at this time.

Mayor Hattan moved to approve appropriation ordinance #1. Commissioner Johnson seconded. Motion carried unanimously.

PUBLIC COMMENTS

Arlene Clayton said that the Cloud County Tourism board had agreed to recognize Kansas Day at the museum, and urged the City to host a Kansas Day event at City Hall.

OLD BUSINESS:**NORTH DEVELOPMENT ENGINEERING UPDATE**

Thaniel Monaco of BG Consultants provided an update on the engineering of the utility infrastructure. He has received verbal approval from KDHE on the sewer, and is expecting water approval very soon. Permits are currently being obtained.

5TH STREET PROJECT

Ron Copple discussed the option of cutting back the 5th Street project in order to save money, but said it would not be cost effective due partly to the fact that with a smaller project, bids would be high.

Mayor Hattan said that this project has been our #1 project for public funds for several years. With the high truck traffic, the street needs immediate attention. He said though the project started out at \$25,000 and now is at \$556,000 for the City's share, it is not the good deal we originally had, but the State is still paying \$425,000 of money the City will not have to spend.

Commissioner Jindra said he is disappointed with the project, that such a project could cost the City over half a million dollars for just one block, and felt the state should shoulder more of the responsibility, due to this being a state highway.

Commissioner Jindra moved to not sign the contract with KDOT. Commissioner Hosie seconded. More discussion ensued. Commissioner Hosie said that the money had not been budgeted to pay for the project, as originally the City was only contributing \$25,000. Commissioner Lanoue said her problem was with the local engineer, not KDOT, who had been so far off on their original estimate.

Ron Copple reminded the commission that the slurry seal program had been budgeted for 2010, and these funds could be used to pay for the project. Half would come from the CIP, or about \$278,000, with the other half coming from TIF. Commissioner Johnson said he felt more comfortable voting on this after hearing about the Broadway sewer project. Commissioner Jindra withdrew his motion.

BROADWAY SEWER PROJECT

Chad Buckley discussed the possibility of cutting this project in half, but this would not cut the funds in half. The City had applied for a community development block grant but had been denied.

Commissioners Hosie and Jindra felt that there was a rush to do the project, and more time should be taken to make sure the project was done right, and possibility a grant could be obtained. TIF partners are opposed to the project using TIF funds, and Commissioner Jindra said the City would alienate itself by approving this project despite the opposition.

Mayor Hattan said that the sewer line has lived 40 years over its life expectancy and the project is crucial. He explained that with the college putting in a new dorm, the strain on the line would only worsen. Commissioner Hosie asked that the TIF partners speak at this time before deciding anything.

Rick Limon, representing the USD 333 Board of Education, Bev Mortimer, USD 333 superintendent, and Gary Caspers, Cloud County Commissioner, all expressed opposition to the expenditure of TIF funds for infrastructure project, due to the projects not generating tax revenues.

Commissioner Jindra listed several successful TIF projects and spoke of the jump in sales tax revenue since TIF was formed.

City Manager Uri stated that staff recommends both projects be done.

After considerable discussion, Mayor Hattan moved to approve the 5th Street project as a TIF project, using an estimated \$260,000. Commissioner Lanoue seconded. Motion carried 3-2, with Commissioners Jindra and Hosie opposing.

Commissioner Hosie moved that no TIF funds be used for the Broadway sewer project. Commissioner Jindra seconded. Mayor Hattan voiced his support of this as a TIF project, citing the inception of TIF which stated that projects such as this could be considered eligible for funds. Commissioner Lanoue said that when the TIF district was sited, the downtown people, whose businesses were labeled blighted, were promised that funds would be used in the downtown area. Other than the theatre, no projects could be listed for funds used for this area of town. Motion carried 3-2, with Mayor Hattan and Commissioner Lanoue opposing.

Mayor Hattan moved to approve resolution 2010-1866, 5th Street contract with the state. Commissioner Hosie asked what the process would be, should there be a protest and the City portion of this project could not use TIF funds. City Manager Uri said alternative funding would have to be found. Commissioner Lanoue seconded. Motion carried by the following vote:

Aye: Commissioners Hattan, Johnson, and Lanoue.

Nay: Commissioners Jindra and Hosie.

NEW BUSINESS:

CMB LICENSE

DRAGON HOUSE

Commissioner Johnson moved to approve the Dragon House CMB license. Commissioner Lanoue seconded. Motion carried unanimously.

DEMO PROJECT – 336 W. 6TH STREET

No action was needed on this item. Bruno Rehbein made the information available to the commission on funds of \$2500.00 to be reimbursed to the Baptist Church for the demo at 336 W. 6th.

RESOLUTIONS:

2010-1865 TIF RESOLUTION OF INTENT

PASSED

The resolution allows for payment of funds through TIF for the drainage structure at the dam in the amount of \$28,395.20.

Mayor Hattan moved to approve resolution 2010-1865. Commissioner Johnson seconded. Motion carried by the following vote:

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

Nay: None.

MANAGER'S REPORT

City Manager Uri told of the plans for the Washington D.C. trip next week. Mayor Hattan will attend as well, and both will meet with state legislators to help procure funds for the dam project.

City Manager Uri said he planned to attend City Hall Day Feb. 3 at the state house, and welcomed the commission to attend.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Hosie said he was glad to hear that Mayor Hattan was going to Washington D.C. and wished good luck on the trip.

Commissioner Lanoue echoed Commissioner Hosie's comments.

STAFF COMMENTS

There were no comments.

EXECUTIVE SESSION – NON-ELECTED PERSONNEL

HELD

Mayor Hattan moved that the commission recess into executive session for five (5) minutes for non-elected personnel. Inviting: Interim City Manager Uri. Commissioner Lanoue seconded. Motion carried by the following vote:

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

Nay: None.

Time: 8:05 p.m.

The commission reconvened at 8:10 p.m.

Mayor Hattan announced there was no binding action taken.

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 Jindra seconded. Motion carried unanimously.

(Seal)

Stacey Crum
City Clerk

ATTACHMENTS

IN

FILE