

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD FEBRUARY 17, 2010

The governing body met in regular session on February 17, 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, Jeremy Keezer, Toby Nosker, Jason Grogan, Ron Deal, Gary Fraser, Doug Jackson, Brian Donovan, Marcia Allen, Brad Waller, Harley Adams, Marvin Copple, Ken Johnson, Tony Studt, Janet Eubanks, Don Lanoue, Scott Condray, Jim Coash, Judy Stephens, Mari Detrixhe, Jean Rosemary Noski, Brian Foster, Sam Johnson, Bruno Rehbein, Chad Buckley, Larry Eubanks, Ron Copple, Bruce Johnson.

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

Mayor Hattan asked for changes to the agenda. City Manager Uri said an item had been added to the study session to discuss the Broadway sewer project.

APPROVAL OF MINUTES**APPROVED**

Commissioner Hosie requested that the total project cost of \$1,031,283 for 5th Street be included in his commissioner comments.

Commissioner Johnson moved to approve the minutes of the February 3, 2010, meeting, with changes. Mayor Hattan seconded. Motion carried unanimously.

APPROPRIATION ORDINANCE NO. #3**APPROVED**

Commissioner Johnson asked if the HWS Consulting bill is the final payment on the design. City Manager Uri said there is still approximately \$4000 left to pay. Commissioner Johnson noted there were charges again on the purchasing cards above \$1000, resulting in higher priced items the commission is not allowed to approve, and requested a list of limits for each employee.

Commissioner Johnson moved to approve appropriation ordinance #3. Mayor Hattan seconded. Motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

OLD BUSINESS:**CLOUD COUNTY COMMUNITY COLLEGE BOOSTER STATION DISCUSSION**

Brian Foster and Sam Johnson were on hand to discuss BG Consultants' involvement in the new booster station. Mr. Foster discussed the time frame of start and completion dates, and listed the various pumps to be installed. Completion is anticipated before college classes begin in August. Chad Buckley said that a block building will be constructed, at a similar price to the premade structure that usually comes with the booster stations.

City Manager Uri said that Bob Maxson, from the college, was comfortable with the time frame given for the project. BG Consultants will be bringing a purchase agreement for the station for approval at the next meeting.

NORTH DEVELOPMENT BIDS/TIMETABLE

Brian Foster said they have approval from the state agencies for infrastructure, and are still waiting on KDOT for the use of right-of-way. A March 10 bid letting date is favored in order to expedite the process. August 1 is the date set for completion of the project, with a possibility of moving it back to September 1.

CONCORDIA TRACTOR IRB & SPECIAL ASSESSMENTS

Kevin Cowan, of Gilmore & Bell, presented paperwork for Concordia Tractor's industrial revenue bond to be issued and explained the process to initiate the IRB with a future resolution and a public hearing. The bond will not exceed \$4,000,000, with \$2,000,000 tax exempt. CTI will pay \$500,000 in special assessments.

NORTH DEVELOPMENT ELECTRIC FRANCHISE

City Manager Uri spoke of previous study sessions in which Rolling Hills Electric and Prairie Land Electric contested for the rights for the north development. Prairie Land currently services the entire City, but Rolling Hills has the rural area that has recently been annexed. Prairie Land has agreed to erect a substation in the area which could possibly provide more reliable service. City Manager Uri presented a memo to the commission with staff's recommendation to utilize Prairie Land as the electric company for the north development.

Doug Jackson, of Rolling Hills Electric, and Jim Coash, of Prairie Land Electric, each gave one final pitch for their company to be chosen.

Mayor Hattan thanked both for their presentations, but said the pledge of the new substation provided more promise. Commissioner Johnson said that Rolling Hills currently serves the north development and didn't want to see them lose the territory. He said the information that City Manager Uri provided was biased. Commissioner Lanoue said both had provided good presentations.

Commissioner Jindra moved to approve the recommendation by City Manager Uri to award the franchise to Prairie Land Electric with the stipulation that a new substation be erected by the end of 2011. Commissioner Hosie seconded. Motion carried 4-1, with Commissioner Johnson opposing.

CONSIDER CITY PARTICIPATION IN NEIGHBORHOOD REVITALIZATION PLAN

Mari Detrixhe, chair of CloudCorp's committee that formed this plan, spoke requesting the City's support. The County, in order to act, needs the knowledge that other governing boards are supportive. Participation is not required, but any entity that constructs in their territory would not be eligible for rebates.

Commissioner Jindra moved the City participate in the neighborhood revitalization plan, subject to participation by the Cloud County commission. Commissioner Lanoue seconded. Motion carried unanimously.

NEW BUSINESS:**5TH STREET PROJECT SUPPLEMENTAL AGREEMENT**

The agreement allows for the payment of the City's portion of the 5th Street project in two installments, with the last payment due by June 30.

Commissioner Johnson asked Ron Copple if the area businesses had been contacted about the project, and was concerned that the traffic is not going to be rerouted. Mr. Copple said that the project would have to be rebid if anything different was to be done with the traffic. Both Commissioners Hosie and Johnson expressed concern that some businesses in the area would not be able to handle the possible loss of business during the project.

Mayor Hattan moved to approve the 5th Street project supplemental agreement. Commissioner Johnson seconded. Motion carried 4-1, with Commissioner Jindra opposing.

AIRPORT TAXIWAY

Ron Copple explained that the City has \$600,000 banked in a federal entitlement fund, comprising of four years of \$150,000 each year. A project must be bid by May 1 or the City will lose one year from the fund. The City's match is 5%, which could partially be paid for by CIP funds. The proposed project is a new taxiway and adjacent apron.

Commissioner Jindra moved to authorize the City staff to let public bids for the Blosser Municipal Airport taxiway reconstruction project while understanding that the City commission can reject any or all submitted bids. Commissioner Lanoue seconded. Motion carried unanimously.

RESOLUTIONS:**2010-1868 SUPPORT OF RESIDENT JUDGE IN EACH COUNTY****PASSED**

City Manager Uri explained the need for support. The Kansas Legislature is considering removing the law that states there shall be a judge in every county. The implications for smaller, rural communities could leave citizens without local representation, and to share one judge with several counties. This could possibly result in the loss of jobs from the County on down to the City.

Mayor Hattan asked the Sisters from the convent in attendance their opinion. A concern was that the poorer residents would have a disadvantage, making it harder to travel to see the nearest judge.

Commissioner Hosie suggested tabling the vote on the resolution until he could learn more about the court system and how it functions. As the legislation is soon to be addressed, it was decided that the matter could not wait.

Commissioner Johnson moved to approve resolution 2010-1868. Mayor Hattan seconded. Motion carried by the following vote:

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

Nay: None.

MANAGER'S REPORT

City Manager Uri said a request had come for a donation from the City for the after prom party. Mayor Hattan stated he did not think it was appropriate for the City to donate. City Manager Uri said that Springsted had put together preliminary TIF paperwork, with a schedule of projects. He also noted that sales tax was down, and if the next month is also down, the department heads would plan for cuts.

City Manager Uri reminded the commissioners that the auditors will arrive next week. Commissioner Johnson was unhappy with the changes he requested in the audit letter at the last meeting, stating the new language still did not provide for receiving a report from the auditors or they would not receive payment. City Manager Uri said the purpose of the audit letter is the promise of the auditor to provide services for payment. Commissioner Lanoue agreed that the language had not changed to Commissioner Johnson's specifications, reading Commissioner Johnson's motion from the minutes. It was decided that Mayor Hattan would meet with the auditors during their visit, and request a change from them.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Jindra said that he would be absent for the March 3 and March 17 meetings.

Commissioner Lanoue thanked Finance Director Farha for her financial reports.

STAFF COMMENTS

Larry Eubanks said that the advertising on the smoke detectors is going well. Also, he noted that the department is now doing fire inspections at all businesses.

Bruce Johnson, on a comment from Commissioner Johnson at a recent meeting, did a traffic survey on Church Street near the school and found that only a very small percentage were driving over the speed limit, and therefore did not warrant a new lower speed limit in that area.

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