

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

The governing body met in regular session on March 17, 2010, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Hattan, Johnson, Lanoue, and Hosie.

Absent: Commissioner Jindra.

Other Officers: 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, Ken Johnson, Tony Studt, Kirk Lowell, Chris Workman, Holly Thoman, Marvin Copple, Connie Walenta, Gary Fraser, Don Dean, Don Lanoue, Harley Adams, Marcia Allen, Casey Fraser, Loren Medley, John Degand. Staff present: Bruno Rehbein, building inspector; Chad Buckley, director of public utilities; Larry Eubanks, fire chief; Ron Copple, director of public works; Chris Edin, chief of police.

There was no invocation.

The Pledge of Allegiance was recited.

Mayor Hattan asked for changes to the agenda. City Manager Uri suggested moving the executive session immediately after the new business item on north developments bids, since the executive session covered a related topic.

APPROVAL OF MINUTES**APPROVED**

Commissioner Johnson moved to approve the minutes of the March 3, 2010, meeting. Commissioner Hosie seconded. Motion carried unanimously.

APPROPRIATION ORDINANCE NO. #5**APPROVED**

Several questions were addressed and answered that Commissioner Johnson had asked earlier in the day.

Commissioner Hosie moved to approve appropriation ordinance #5. Commissioner Lanoue seconded. Motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARING**CTI INDUSTRIAL REVENUE BOND**

The public hearing pertains to CTI's IRB, and as required, no ordinance authorizing the issuance of revenue bonds will be adopted until the public hearing has been concluded.

There were no comments from the public. Mayor Hattan moved to close the public hearing. Commissioner Hosie seconded. Motion carried unanimously.

PROCLAMATION**NATIONAL RED CROSS MONTH**

John Degand, volunteer with the North Central Kansas chapter of the American Red Cross presented the proclamation. Mayor Hattan read the proclamation, and signed it, proclaiming March as National Red Cross Month.

APPOINTMENTS:**BOARD OF BUILDING TRADES**

Bruno Rehbein said that John Hood's and Dennis Fleming's positions on the board were about to expire, and both have expressed interest in continuing to serve another three (3) year term.

Commissioner Lanoue moved to appoint John Hood and Dennis Fleming to the board of building trades for a three (3) year term. Mayor Hattan seconded. Motion carried unanimously.

RECREATION ADVISORY BOARD

City Manager Uri said two additional members of the public, Regena Beldon and Derrick Hittle, have expressed interest serving on the recreation advisory board. The rules of the advisory board would need to be changed to accommodate them.

Mayor Hattan moved to change the wording of the rules to reflect a minimum of five (5) members and a maximum of seven (7) members. Commissioner Hosie seconded. Motion carried unanimously.

Mayor Hattan moved to appoint Regena Beldon and Derrick Hittle. Commissioner Johnson seconded. Motion carried unanimously.

OLD BUSINESS:**BROADWAY SEWER EVALUATION CONTRACT**

City Manager Uri said that flow meters have been scheduled to be installed at various sections of the Broadway sewer, to monitor the condition and the flow. The data would be reviewed by Bucher, Willis & Ratliff, at a cost of \$6590.00. The evaluation of the data was deemed a reasonable fee by staff in order to assess the urgency for replacing the sewer line.

Mayor Hattan thought this a substantial fee considering City staff would actually do the work to collect the data. Also, many reports over the years have already confirmed that the sewer line is in need of replacement. Chad Buckley stated that this monitoring would let staff know how much of the line needs immediate replacement.

Commissioner Johnson moved to table the agreement until City staff can evaluate the data collected. Mayor Hattan seconded. Commissioner Hosie said that the flow meters were a good idea, and would like to see one put close to the hospital and other lines that branch off of the Broadway sewer. Motion carried unanimously.

NEW BUSINESS:**EQUIPMENT BIDS**

Ron Copple presented bids on a grader purchase. They were as follows:

		<u>Cost</u>	<u>Trade</u>	<u>Net Cost</u>
Foley Equipment	Cat 120M	\$193,539	\$26,212	\$167,327
Murphy Tractor	JD 670GP	\$201,000	\$30,000	\$167,500
Murphy Tractor	JD 670G	\$187,000	\$30,000	\$153,500

Staff recommended purchasing from Foley Equipment. There was discussion on purchasing a grader with a joystick control rather than a steering wheel. Commissioner Johnson noted that Murphy Tractor's bid of \$153,500 was considerably less than Foley's. Mr. Copple said that the JD 670G did not fit the specifications, and pointed out that Foley is a local business, with contributions of property and sales taxes, as well as employment. Casey Fraser answered questions on behalf of Foley Equipment.

Commissioner Lanoue moved to accept the bid from Foley Equipment for the grader, for a net cost of \$167,327, with the funds to come from the equipment reserve. Mayor Hattan seconded. Motion carried unanimously.

Mr. Copple presented bids for a 2010 pickup for the public works department, trading a 1999 ½ ton pickup. Two bids were received, with Babe Houser Motor Company coming in lower. However, Babe Houser had since retracted their bid due to a calculation error. Mr. Copple recommended the bid from Womack Sunshine Ford, for \$19,927.65, with a trade-in price of \$900.00, for a net cost of \$19,027.65.

Commissioner Johnson moved to accept the bid from Womack Sunshine Ford for \$19,027.65. Commissioner Lanoue seconded. Motion carried unanimously.

Mr. Copple presented bids for a new mower, to be used in the parks, cemetery, airport, right-of-ways, and College Drive. Only one bid was received, from Budreau Muffler, for \$25,918.40, with a trade-in of \$2,000, for a net cost of \$23,918.40.

Commissioner Hosie moved to accept the bid from Budreau Muffler for \$18,357. Mayor Hattan seconded. Motion carried unanimously.

Chad Buckley said that Babe Houser had withdrawn their bids for a public utilities vehicle as well. Therefore, he was recommending purchasing the same vehicle as the public works department, at a cost of \$19,927.65, with a trade-in price of \$500, for a net cost of \$19,427.65. Mr. Buckley said that \$17,000 had been budgeted for this, and asked permission to take available funds out of the equipment reserve fund to make up the difference.

Mayor Hattan moved to accept the bid from Womack Sunshine Ford for \$19,427.65. Commissioner Hosie seconded. Motion carried unanimously.

INSURANCE BIDS

Chris Workman of Peoples Insurance, and Connie Walenta, of Kastl-Powell Agency, presented their bids for the City's policy and fielded questions. Ms. Workman asked for a five year agreement with the City, where the City would not actively pursue a new company unless dissatisfied with Peoples. The bids were as follows:

Peoples Insurance	\$91,253.50
Kastl-Powell Agency	\$157,115.00

Commissioner Hosie stated he would feel more comfortable with a three year agreement. City Manager Uri said that three years is what the City has done in the past.

Mayor Hattan moved to accept the low bid with Peoples Insurance for \$91,253.50, and not actively seek bids for a three year period. Commissioner Lanoue seconded. Motion carried unanimously.

NORTH DEVELOPMENT BIDS

Brian Foster, of BG Consultants, brought before the commission the bids received for the north development infrastructure. All but one bid out of the ten received was under the engineer's estimated probable cost of \$2,467,593.00. The bids were as follows:

<u>Bidder</u>	<u>Base Bid</u>	<u>Bid Alternate</u>
J&K Contracting, LC	\$1,756,753.07	\$1,843,754.53
Stevens Contractors, LLC	\$1,830,397.00	\$1,919,202.00
Cronister & Company Inc.	\$1,854,799.25	\$1,929,996.75
Nowak Construction	\$1,876,530.50	\$2,059,544.00
Walters Morgan Construction *	\$1,971,446.00	\$2,058,880.00
Middlecreek Corporation	\$2,079,920.00	\$2,198,278.00
Emerson Construction Inc.	\$2,117,202.70	\$2,160,522.60
Carlson Utility, LLC *	\$2,122,900.00	\$2,279,498.00
Mies Construction *	\$2,148,149.00	\$2,232,764.00
EOPCC	\$2,467,593.00	\$2,519,462.00
Duling Construction Co. Inc.	\$2,680,281.00	\$2,871,612.00

The bid alternate is materials for a 14" line, rather than a 12" line. Going to a 14" line would increase the total bid by approximately \$164,000. This would increase J&K's bid to \$1,920,911.53. BG Consultants and staff recommend the smaller 12" line. A 14" line would create more stale water in the line, among other things.

Commissioner Johnson moved to accept the bid for the north development from J&K Consulting for \$1,756,753.07. Commissioner Lanoue seconded. Motion carried unanimously.

EXECUTIVE SESSION – PRELIMINARY DISCUSSION FOR ACQUISITION OF REAL ESTATE (1) HELD

Mayor Hattan moved that the commission recess into executive session for fifteen (15) minutes for preliminary discussion for acquisition of real estate. Inviting: City Manager Uri, Chad Buckley, and Brian Foster. Commissioner Johnson seconded. Motion carried by the following vote:

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

Nay: None.

Time: 6:47 p.m.

The commission reconvened at 7:02 p.m.

Mayor Hattan announced there was no binding action taken.

EXECUTIVE SESSION – PRELIMINARY DISCUSSION FOR ACQUISITION OF REAL ESTATE (2) HELD

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

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

Nay: None.

Time: 7:02 p.m.

The commission reconvened at 7:12 p.m.

Mayor Hattan announced there was no binding action taken.

NEW BUSINESS (cont):**NORTH DEVELOPMENT EASEMENTS**

City Manager Uri withdrew the item from the agenda due to not having information to provide at this time.

EMERGENCY OPERATION PLAN ADOPTION

Larry Eubanks asked that the plan be adopted, to go along with the debris management plan that has already been adopted.

Commissioner Lanoue moved to adopt the emergency operation plan. Mayor Hattan seconded. Motion carried unanimously.

ORDINANCES:**2010-2987 ADOPTING 2006 INTERNATIONAL BUILDING CODE****PASSED**

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE adopting the 2006 International Building Code, the 2006 International Residential Code, the 2006 International Plumbing Code, the 2006 International Mechanical Code, the 2006 International Fuel Gas Code, the 2006 International Fire Code and the 2008 National Electrical Code.

The Ordinance was considered and discussed; and thereupon on motion of Commissioner Johnson, seconded by Commissioner Lanoue, the Ordinance was passed by the following vote:

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

Nay: None.

Thereupon, the Ordinance, given No. 2010-2987, and was directed to be signed by the Mayor, attested by the City Clerk and directed to be published one time in the official City newspaper.

2010-2988 CONTRACTOR'S LICENSING**PASSED**

Thereupon there was presented an Ordinance entitled:

AN ORDINANCE amending rules and regulations for the licensing of the electrical, HVAC mechanical, and plumbing trades in the City of Concordia, repealing Article IV of Chapter 11 of the Concordia Code; and amending the Concordia Code, by adding a new Article IV of Chapter 11.

The Ordinance was considered and discussed; and thereupon on motion of Mayor Hattan, seconded by Commissioner Lanoue, the Ordinance was passed by the following vote:

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

Nay: None.

Thereupon, the Ordinance, given No. 2010-2988, and was directed to be signed by the Mayor, attested by the City Clerk and directed to be published one time in the official City newspaper.

MANAGER'S REPORT

City Manager Uri suggested scheduling a planning session next month after the election to familiarize the one, and possibly two, new commissioners with the major capital projects in the works. It was decided to schedule it for April 16 at 8:00 a.m.

City Manager Uri said that it would be possible to place cameras at the construction on 5th Street and show this on the City's website so that harvesters could view the traffic backup before heading to the area. The cost would be approximately \$2600.

City Manager Uri said KDOT is asking for the amount they owe the City, and we should see those funds soon.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Hosie asked about the progress for finding an alternate route for traffic to avoid the 5th Street construction. Ron Copple had checked out a possible location, at an estimated cost of \$858,000 to prepare the streets and alleyways for the additional traffic. There is concern from some commissioners on the harm this project will do to the businesses near the construction.

STAFF COMMENTS

Chris Edin, in his first report as police chief, notified the commission of a traffic accident involving the animal control officer last week. He discussed adoptions, and the ways in which the public could be educated on the animals needing to be adopted at the shelter. Mr. Edin said that the police department is in dire need of a website, and plans are in the works to get one up and going in the near future.

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)

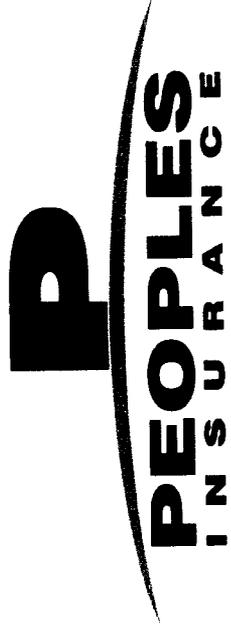


Stacey Crum
City Clerk

PREMIUM SUMMARY

Items	2009/2010		2010/2011		1.3%INFLATION INCREASES BUILD & PROP IN OPEN Amount of Ins	2010/2011	
	Amount of Ins	Annual Premium	STAT QUO Amount of Ins	Annual Premium		Annual Premium	Annual Premium
1.)A Property & Boiler	\$ 18,329,198.00	\$ 35,123.00	\$ 18,329,198.00	\$ 32,504.00	\$	\$ 32,876.00	\$ 32,876.00
2.)C Contractor's Equipment		\$ 15,434.00		\$ 13,293.00		\$ 13,293.00	\$ 13,293.00
3.) Data Processing		Included		Included		Included	Included
4.)F Comprehensive Crime		\$ 1,336.00		\$ 1,209.00		\$ 1,209.00	\$ 1,209.00
5.)D Commercial General Liability/Employee Benefit Liability		\$ 8,352.00		\$ 6,595.00		\$ 6,595.00	\$ 6,595.00
6.) Employee Benefit Liability/2010-11 Included with GL		\$ 396.00		\$ -		\$ -	\$ -
7.)K Linebacker Liability		\$ 4,109.00		\$ 3,296.00		\$ 3,296.00	\$ 3,296.00
EMS Professional Liability							
Public Entity Management Liability							
Public Entity Employment Practices Liability							
8.)E Business Automobile		\$ 21,466.00		\$ 17,776.00		\$ 17,776.00	\$ 17,776.00
9.)J Umbrella		\$ 6,698.00		\$ 4,945.00		\$ 4,945.00	\$ 4,945.00
10.)G Commercial Law Enforcement		\$ 2,398.00		\$ 2,398.00		\$ 2,398.00	\$ 2,398.00
		<u>\$ 95,312.00</u>		<u>\$ 82,016.00</u>		<u>\$ 82,388.00</u>	<u>\$ 82,388.00</u>
EMC Total							
11.) Bonds		\$ 375.00	ADDED 1 BOND	\$ 700.00		\$ 700.00	\$ 700.00
12.) Underground Storage Tank Liability (01/01/09-01/01/2010)		\$ 379.00		\$ 379.00		\$ 379.00	\$ 379.00
13.) Airport Owners Liability		\$ 3,480.00		\$ 3,480.00		\$ 3,480.00	\$ 3,480.00
14.) Special Risk Accident(Sports/non-sports=playground)		\$ 4,505.25	REDUCE PARTICIP	\$ 4,306.50		\$ 4,306.50	\$ 4,306.50
GRAND TOTAL:		\$ 104,051.25		\$ 90,881.50		\$ 91,253.50	\$ 91,253.50

Note: These premiums may be subject to additional state taxes, surcharges or assessments, surplus lines taxes, and/or fees other than those shown above.





1409 Lincoln Street Concordia, KS 66901
(785) 243-2494 Toll Free 866-243-2494 Fax 785-243-3124

CITY OF CONCORDIA

CASH FLOW PAYMENTS

	Down Payment	9 Installments	Total
1.) (A) Property & Boiler	\$ 6,425.00	\$ 2,939.00	\$ 32,876.00
2.) (C) Inland Marine	\$ 3,330.00	\$ 1,107.00	\$ 13,293.00
3.) (D) General Liability	\$ 1,654.00	\$ 549.00	\$ 6,595.00
4.) (E) Business Automobile	\$ 4,447.00	\$ 1,481.00	\$ 17,776.00
5.) (F) Crime	\$ 309.00	\$ 100.00	\$ 1,209.00
5.) (G) Law Enforcement	\$ 607.00	\$ 199.00	\$ 2,398.00
7.) (J) Umbrella	\$ 1,237.00	\$ 412.00	\$ 4,945.00
8.) (K) Linebacker	\$ 830.00	\$ 274.00	\$ 3,296.00
	\$ 18,839.00	\$ 7,061.00	\$ 82,388.00

Pay in full at time of renewal

1.) Bonds- -April 1	\$ 700.00
2.) Underground Storage- -January 1	\$ 379.00
3.) Airport Liability---April 1	\$ 3,480.00
4.) Special Risk---April 1	\$ 4,306.50

TOTAL YEARLY INSURANCE: \$ 91,253.50



City of Concordia

Insurance proposal Policy Year 2010 – 2011

Continental Western Entity Package

Property	\$	49,289	
Brown Grand	\$	29,269	
General Liability	\$	34,494	
Commercial auto	\$	23,649	
Commercial Crime	\$	1,263	
Commercial Inland Marine	\$	5,228	
Public officials	\$	3,904	
Fire & EMS PKG (IM,Auto, Liab)	\$	7,729	
Airport Liability			
U.S. Specialty	\$	2,290	
		Total	\$ 157,115

Underground tank By agent of Record letter
 Same as current premium

Treasurers Bond Application needed Premium
 Specific information not provided
 Rates are all similar @ \$250

Conni S. Palente

March 17, 2010

Mr. Larry Uri
City Manager
701 Washington Street
Concordia, Kansas 66901

Re: City of Concordia 2010 North Development Utility Infrastructure

Larry,

This correspondence is being provided as the "Engineer's Recommendation" for Construction Contract Award for the above referenced project to J&K Contracting LC from Junction City, Kansas. This recommendation is based upon our opinion of the identification of the lowest responsible bidder for the project based on Base Bid and Bid Alternate.

On March 10, 2010 at 2:00 p.m., ten (10) bids and an Engineer Opinion of Probable Construction Cost (EOPCC) were received and read publicly for the above referenced project. J&K Contracting LC of Junction City, KS, was the apparent low bidder for a total base bid of \$1,756,753.07 and for a total bid Alternate of \$1,843,754.53. The EOPCC Base Bid was \$2,467,593.00 and the EOPC Bid Alternate was \$2,519,462.00.

A summary of all the Base Bids and Bid Alternates is provided below:

No.	Bidder		Base Bid	Bid Alternate
1	J&K Contracting, LC		\$1,756,753.07	\$1,843,754.53
2	Stevens Contractors, LLC		\$1,830,397.00	\$1,919,202.00
3	Cronister & Company Inc.		\$1,854,799.25	\$1,929,996.75
4	Nowak Construction		\$1,876,530.50	\$2,059,544.00
5	Walters Morgan Construction	*	\$1,971,446.00	\$2,058,880.00
6	Middlecreek Corporation		\$2,079,920.00	\$2,198,278.00
7	Emerson Construction Inc.		\$2,117,202.70	\$2,160,522.60
8	Carlson Utility, LLC	*	\$2,122,900.00	\$2,279,498.00
9	Mies Construction	*	\$2,148,149.00	\$2,232,764.00
10	EOPCC		\$2,467,593.00	\$2,519,462.00
11	Duling Construction Co. Inc.		\$2,680,281.00	\$2,871,612.00

* Denotes a discrepancy found within the originally submitted bid form. The bid summary above shows the corrected bid amount and the attached bid tabulation spreadsheet describes the error and shows the correct amount.

Following the evaluation of the bidding documents and the itemized unit price bid sheet, it was determined that additional material needed to be accounted for to realize the complete cost of the 14" water main Bid Alternate. The additional material and overhead costs can be quantified as the installed price difference between the 12 and 14 inch Fittings, Valves and Service Connections. These items were not accounted for in the original bid; therefore material invoices



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and additional bid item costs were requested of J&K Contracting and HD Supply Waterworks for review. You will find these documents attached to this recommendation.

We have also provided a summary sheet that interprets all of the additional pricing data. Based on the complete evaluation of the submitted documents, the Revised Bid Alternate cost of \$1,920,911.53 has been determined based on an increase of \$77,157.00 from the originally submitted Bid Alternate.

Following evaluation of the data, it was determined the J&K Contracting had developed a 4.3% installation increase from his original Bid Alternate Submission to handle the larger material.

In summary, J&K Contracting, LC has provided the lowest Base Bid of \$1,756,753.07, and corresponding Revised Bid Alternate of \$1,920,911.53. The difference between Base Bid and the Revised Bid Alternate is \$164,158.46.

In comparison to the next lowest responsible bidder:
Adding just the increased material cost to the next lowest Bid Alternate number (Stevens) results in \$1,993,179.16 which is \$72,268.16 more than the Revised Bid Alternate from J&K Contracting.

Previously Submitted Design Data:

The Bid Alternate increases the water main diameter from 12" to 14" relating to an increase in fire flow performance. Below is a table, initially provided in a design memo to the City dated November 13, 2009, that summarizes this flow performance increase.

Main Supply Line Size	Static Pressure at Hwy 81 & Union (psi)	Residual Pressures @ 1700 gpm (psi)	Max Flow @ 20 psi (gpm)
12"	81.8	32.0	1,800
14"	81.8	56.0	2,700

Although greater flow can be realized with the larger pipe, the fairly significant expense, water stagnation and longer material lead times, which would affect the construction schedule, should be considered. This can only be determined by what the City expects for future development to the North.

Based upon the bids submitted and required bidding documents, BG Consultants Inc. recommends to award the project to J & K Contracting, L.C. for either the Base Bid or Revised Bid Alternate.

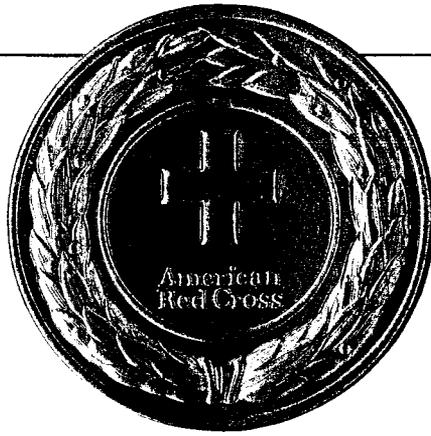
As always, our staff will be available for questions pertaining to this project or our recommendation. Please do not hesitate to contact me with any questions or comments.

Sincerely,

Brian Foster, P.E.



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American Red Cross Month March 2010

Each March we formally recognize the North Central Kansas Chapter of the American Red Cross and its essential humanitarian role in Concordia, Kansas. Every day, Red Cross volunteers and employees provide essential services in this community to help those affected by everything from house or apartment fires, hurricanes, and other natural and human caused disasters, thanks in part to the generous support of the people in Concordia.

For more than 125 years, Concordia residents have relied on the Red Cross to provide disaster relief, water safety and first aid/CPR/AED training. Over the past year, nearly 5,300 people have enrolled in American Red Cross Health and Safety Courses in North Central Kansas. The North Central Kansas Chapter has sent nearly 100 emergency messages to active duty personnel and their families and the NCKC American Red Cross also reaches out to the members of the National Guard and Reserves and their families who reside in nearly every community in North Central Kansas.

NOW, THEREFORE, I, _____, Mayor of Concordia, by virtue of the authority vested in me by the Constitution and laws of Concordia do hereby proclaim March 2010 as American Red Cross Month. Especially during this extraordinary time for our country, I encourage all Americans to support this organization's noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, in the year of our Lord two thousand ten, and of the City of _____.



American Red Cross