

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD SEPTEMBER 7, 2011

The governing body met in regular session on September 7, 2011, at 5:30 p.m. in the City Commission Room at City Hall, with the following members being present: Commissioners Wentz, Pounds, Johnson, Parker, and Fraser.

Absent: None.

Other Officers: City Manager Uri, Finance Director Farha, and City Clerk Crum.

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

Visitors: Jessica LeDuc, Toby Nosker, Tina Barnett, Tammy Britt, Jean Rosemarynoski, Marcia Allen, Beth Stover. Staff present: Chad Buckley, director of public utilities; Ron Copple, director of public works; Jim Menard, Fire Captain; and Bruno Rehbein, building inspector.

Pastor Tina Barnett gave the invocation, followed by the reciting of the Pledge of Allegiance.

APPROVAL OF MINUTES

APPROVED

Commissioner Johnson requested several changes. On the 2011 budget amendment, he asked for the increased amount in the utility fund, and a reason why the increase was due to the Broadway sewer project. He also suggested including a reason why the TIF project fund was increased. Commissioner Johnson said that "mill" should be spelled "mil". On the 2011-3018 ordinance discussion, Commissioner Johnson requested elaborating on the minor mistakes in the budget mentioned by Finance Director Farha.

Commissioner Johnson moved to approve the minutes of the August 17, 2011, meeting as amended. Commissioner Pounds seconded. Motion carried unanimously.

APPROPRIATION ORDINANCE #16

APPROVED

Commissioner Johnson inquired where Allen & Sweet Law Office is located. City Manager Uri answered Minneapolis.

Mayor Wentz asked how the softball t-shirts are paid, to which it was answered the registration fees cover this expense.

Commissioner Johnson asked what "pprj" stands for. City Manager Uri answered it stands for project. Commissioner Johnson about the payment to Campbell & Johnson for various projects. City Manager Uri said it was for the drainage at the convent, and consultation about the health center and the different locations for the hospital.

Commissioner Pounds asked about the payment to Continental Analytical. Chad Buckley answered it was for sludge testing at the treatment plant.

City Manager Uri explained Google Cloud to Commissioner Johnson; a quick tutorial of its benefits and said yes, there is a monthly fee involved.

Commissioner Fraser inquired about barrels purchased. Ron Copple said these are used around town as trash cans for various special occasions, such as Fall Fest.

Commissioner Johnson wanted to know about the purchase to PR Diamond Products. Mr. Buckley said his department purchased saw blades for cutting the street.

Commissioner Fraser moved to approve appropriation ordinance #16. Commissioner Parker seconded. Motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

PROCLAMATIONS:

9/11/11 PROCLAMATION

Mayor Wentz read the proclamation, and proclaimed 9/11/11 as a day of service and remembrance.

APPOINTMENTS:

BOARD OF BUILDING TRADES

Bruno Rehbein explained that Roger Demanette has resigned, and Randy Greenwood, a plumber, has expressed interest in serving. Cheryl Lanoue, who had served a shortened term due to filling a vacated spot, also wished to continue. Mr. Rehbein recommended appointing Randy Greenwood to his first term, and to reappoint Cheryl Lanoue to another term.

Mayor Wentz moved to appoint Randy Greenwood and Cheryl Lanoue to the Board of Building Trades. Commissioner Fraser seconded. Motion carried unanimously.

PUBLIC HEARING:

REDEVELOPMENT PROJECT

Among other business, in accordance with notice published in the *Concordia Blade-Empire*, duly delivered to the Board of County Commissioners of Cloud County, the Board of Education of Unified School District No. 333 and the Board of Trustees of Cloud County Community College, and provided to affected property owners, a public hearing was held by the governing body relating to proposed (a) Broadway Sidewalk Project, and (b) Skyline III Project redevelopment project plans pursuant to the provisions of K.S.A. 12-1770 *et seq.* (the "Act"). The City Manager presented the proposed redevelopment project plans, including feasibility studies, required by the Act. Thereafter, all interested persons were afforded an opportunity to present their views on such matters. Thereupon, the public hearing was closed.

ORDINANCES:

2011-3019 REDEVELOPMENT PROJECT

PASSED

Thereupon, there was presented to the City Commission an Ordinance entitled:

AN ORDINANCE OF THE CITY OF CONCORDIA, KANSAS ADOPTING REDEVELOPMENT PROJECT PLANS FOR THE BROADWAY SIDEWALK PROJECT AND SKYLINE III PROJECT, FOR USE IN CONJUNCTION WITH A PREVIOUSLY ESTABLISHED REDEVELOPMENT DISTRICT, AND MAKING CERTAIN FINDINGS IN CONJUNCTION THEREWITH.

The Ordinance was considered and discussed; and thereupon on motion of Commissioner Johnson, moved to approve the ordinance after striking language in Section 4 allowing for the Mayor, City Manager, City Clerk, City Attorney, the City's financial advisor and Bond Counsel, as being authorized to take such other actions as may be appropriate. The motion died for lack of a second.

Thereupon on motion of Commissioner Pounds, seconded by Commissioner Parker, the Ordinance was passed by the following roll call vote:

Aye: Commissioners Wentz, Pounds, Parker, and Fraser.

Nay: Commissioner Johnson.

Thereupon, the Ordinance having been adopted by a 2/3rds vote of the members of the City Commission, it was given No. 2011-3019, 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.

2011-3020 13th STREET VACATION

PASSED

Thereupon, there was presented an ordinance entitled:

AN ORDINANCE PURSUANT TO K.S.A. 12-504 AND 12-505, AS AMENDED, VACATING THAT PORTION OF 13TH STREET BETWEEN THE EAST LINE OF THE ALLEY IN BLOCK 6 OF ROBINSON'S ADDITION, AND THE WEST LINE OF L STREET, IN THE CITY OF CONCORDIA, KANSAS, AND RESERVING UTILITY EASEMENTS IN THE VACATED RIGHT OF WAY.

Thereupon, Mayor Wentz moved that said ordinance be passed. The motion was seconded by Commissioner Fraser. Said ordinance was duly read and considered, and upon being put, the motion for the passage of said ordinance was carried by the vote of the governing body, the vote being as follows:

Aye: Commissioners Wentz, Pounds, Johnson, Parker, and Fraser.

Nay: None.

Thereupon, the Mayor declared said ordinance duly passed and the ordinance was then duly numbered Ordinance No. 2011-3020 and was signed by the Mayor and the signature attested by the City Clerk.

2011-3021 EAST HILLS ESTATES REPLAT

PASSED

Thereupon, there was presented an ordinance entitled:

AN ORDINANCE APPROVING A REPLAT OF EAST HILLS ESTATES PLANNED UNIT DEVELOPMENT IN THE CITY OF CONCORDIA, KANSAS.

Thereupon, Commissioner Parker moved that said ordinance be passed. The motion was seconded by Commissioner Pounds. Said ordinance was duly read and considered, and upon being put, the motion for the passage of said ordinance was carried by the vote of the governing body, the vote being as follows:

Aye: Commissioners Wentz, Pounds, Johnson, Parker, and Fraser.

Nay: None.

Thereupon, the Mayor declared said ordinance duly passed and the ordinance was then duly numbered Ordinance No. 2011-3021 and was signed by the Mayor and the signature attested by the City Clerk.

2011-3022 STANDARD TRAFFIC ORDINANCE

PASSED

Thereupon, there was presented an ordinance entitled:

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS; INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 2011, WITH CERTAIN OMISSIONS, AMENDMENTS, AND ADDITIONAL PROVISIONS.

Thereupon, Commissioner Johnson moved that said ordinance be passed. The motion was seconded by Commissioner Parker. Said ordinance was duly read and considered, and upon being put, the motion for the passage of said ordinance was carried by the vote of the governing body, the vote being as follows:

Aye: Commissioners Wentz, Pounds, Johnson, Parker, and Fraser.

Nay: None.

Thereupon, the Mayor declared said ordinance duly passed and the ordinance was then duly numbered Ordinance No. 2011-3022 and was signed by the Mayor and the signature attested by the City Clerk.

2011-3023 UNIFORM PUBLIC OFFENSE CODE

PASSED

Thereupon, there was presented an ordinance entitled:

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS; INCORPORATING BY REFERENCE THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, EDITION OF 2011, WITH CERTAIN OMISSIONS, AMENDMENTS AND ADDITIONAL PROVISIONS; PROVIDING CERTAIN PENALTIES; REPEALING EXISTING SECTION 14-1 OF THE CONCORDIA CODE; AND AMENDING THE CONCORDIA CODE, BY ADDING A SECTION NUMBERED 14-1.

Thereupon, Commissioner Fraser moved that said ordinance be passed. The motion was seconded by Mayor Wentz. Said ordinance was duly read and considered, and upon being put, the motion for the passage of said ordinance was carried by the vote of the governing body, the vote being as follows:

Aye: Commissioners Wentz, Pounds, Johnson, Parker, and Fraser.

Nay: None.

Thereupon, the Mayor declared said ordinance duly passed and the ordinance was then duly numbered Ordinance No. 2011-3023 and was signed by the Mayor and the signature attested by the City Clerk.

NEW BUSINESS:

FIRE DEPARTMENT VEHICLE

Jim Menard, Firefighter Captain, presented the bids to the commission for a new ½ ton pickup for the department. The bids were as follows:

Concordia Chevrolet	2012 4x4	\$25,969.70
Concordia Chevrolet	2012 4x2	24,271.70
Concordia Chevrolet	2011 4x4	27,222.50
Concordia Chevrolet	2011 4x2	25,226.59
Womack Sunshine Ford	2012 4x4	28,646.25
Womack Sunshine Ford	2012 4x2	25,793.25

The purchase of the 2012 Chevy 4x4 was recommended by staff.

Commissioner Fraser stated he did not feel it was a necessary expenditure when the departments had been asked to cut their budgets, and the equipment reserve and capital improvement funds had been cut next year.

Commissioner Johnson moved to approve the purchase of the 2012 Chevy 4x4 from Concordia Chevrolet for \$25,969.70. Mayor Wentz seconded. Motion carried 4-1, with Commissioner Fraser opposing.

CAMPBELL & JOHNSON – SOUTH DEVELOPMENT SURVEY CONTRACT

An estimate of water and sewer service to the City's newly purchased land south of town has been suggested. Campbell & Johnson provided a proposal to survey field data from this land and along Highway 81 in order to prepare preliminary construction costs. The cost of the survey is \$3475.00.

Commissioner Parker moved to approve the Campbell & Johnson south development survey contract. Commissioner Fraser seconded. Motion carried unanimously.

MANAGER'S REPORT

City Manager Uri stated there is no word yet on the development project, the firm wanting to possibly relocate in the former Alco building.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Pounds commented on the newly repaved highway south of Concordia.

Commissioner Johnson asked why the crew was pouring concrete at the east water tower. Chad Buckley stated that Nex-Tech had not finished landscaping around the building they'd installed and he was working on finishing the project. Commissioner Johnson asked what the problem was with the alley between 13th & 14th. Mr. Buckley said there wasn't a problem with the sewer, due to a sinkhole.

Commissioner Fraser wondered what the problem was with the water emptying from the water tower. Mr. Buckley said the gauge had been giving a false reading. A new monitoring system has been installed.

Commissioner Parker asked about the beer drinking signs at the sports complex. The signs will be installed by next season. Commissioner Parker passed along comments from a parent on poor restroom conditions at the sports complex. City Manager Uri promised to get an answer. Commissioner Parker mentioned potholes on 15th & Country Club Drive. Ron Copple stated that is not in the City limits.

Commissioner Johnson asked if #9 Highway going through town had limited access, such as driveways. Mr. Copple stated yes, since it's a public highway.

Commissioner Fraser asked if the alley speed limit is the same as the street posted speed. Mr. Copple answered yes.

Commissioner Pounds asked about Rasure Field. Mr. Copple stated that the weeds and grass would be burned off. It needs to be determined who will be doing the dirt work.

Mayor Wentz asked about the burned out traffic light at 7th & Broadway. Mr. Copple said the parts were ordered.

STAFF COMMENTS

Ron Copple mentioned the three newly completed projects. There were no overages on the fire station. On Heavy's and the library, there were due to extra excavation and base rock. Mr. Copple stated that on October 6, the Lions Club would be at the cemetery for a tree planting ceremony. Mr. Copple said he'd met with KDOT after submitting for the 5th Street project. He mentioned the City may need to contribute a portion to be awarded this project.

Chad Buckley mentioned the new Borger pump for the treatment plant was in and in the process of being installed.

Bruno Rehbein said the applications for the housing rehabilitation grant were received by the State and they will be coming out to view the site on October 18. The grant money won't be awarded until January.

City Clerk Crum asked that the commission vote to name voting delegates for the upcoming League conference. Based on the population, Concordia is allowed two delegates and two alternates.

Commissioner Johnson moved to name Mayor Wentz and Commissioner Fraser as delegates, and Commissioners Pounds and Johnson as alternates. Commissioner Fraser seconded. Motion carried unanimously.

Jim Menard stated that the new approach to the fire station is nice. He also said Larry Eubanks had received a grant for all new SCBA.

EXECUTIVE SESSION – PRELIMINARY DISCUSSION OF ACQUISITION OF REAL ESTATE HELD

Mayor Wentz moved that the commission recess into executive session for fifteen (15) minutes for preliminary discussion of acquisition of real estate. Inviting: City Manager Uri. Commissioner Pounds seconded. Motion carried by the following vote:

Aye: Commissioners Wentz, Pounds, Johnson, and Fraser.

Nay: None.

Time: 7:03 p.m.

The commission reconvened at 7:18 p.m.

Mayor Wentz announced there was no binding action taken.

ADJOURN

There being no further business, Mayor Wentz moved to adjourn the meeting. Commissioner Pounds seconded. Motion carried unanimously.

(Seal)

Stacey Crum
City Clerk