

MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD DECEMBER 21, 2011

The governing body met in regular session on December 21, 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, Kent Otott, Kristina Edin, Don Dean, Tina Barnett, Kirk Lowell, Tammy Britt, Steve Dailey, Janet Lowell. Staff present: Chad Buckley, Director of Public Utilities; Larry Eubanks, Fire Chief; Bruno Rehbein, Building Inspector; Ron Copple, Director of Public Works; and Chris Edin, Police Chief.

Kent Otott gave the invocation, followed by the reciting of the Pledge of Allegiance.

City Manager Uri said the budget amendment must be approved, which wasn't on the agenda, and this could be done after the public hearing.

APPROVAL OF MINUTES**APPROVED**

Commissioner Johnson requested that his commissioner comments about dirt work along Hwy. 81 at the flood control site reflect that the work which at one point was not going to be done is now included as part of the project, not simply being discussed.

Commissioner Pounds moved to approve the minutes of the December 7, 2011, meeting as amended. Mayor Wentz seconded. Motion carried unanimously.

Commissioner Johnson asked that the rainfall amount be included in the 100 year dam portion of the presentation with Kevin Shamburg. City Manager Uri said the presentation could be attached to the minutes, since there were so many facts and figures associated with this discussion. It was decided to do so.

Mayor Wentz moved to approve the minutes of the December 14, 2011, special meeting with the power point attached. Commissioner Fraser seconded. Motion carried unanimously.

APPROPRIATION ORDINANCE #23**APPROVED**

Mayor Wentz asked about the attorney fees for Allen & Sweet. City Manager Uri said it was court appointed attorney fees for municipal court. Commissioner Parker questioned the volleyball fees to the college. Finance Director Farha answered that we pay the college for referee fees. Mayor Wentz asked if this was the last check for the master plan. Ron Copple answered no, there is a portion still left to pay. Commissioner Parker asked for clarification on the check to the Cloud County Treasurer for taxes. City Clerk Crum said it's the City's half of the Alco and Mosher properties, with the County paying the other half. Commissioner Johnson asked if Touchtone Communications is for long distance, which was answered yes. Commissioner Johnson wanted to know what was paid to Wildside Graphix. Mr. Copple and Larry Eubanks said they bought shirts. Mayor Wentz wondered about the Rolling Hills Electric bill. Chad Buckley said the electricity is for the lift station at the north development, and is not covered by Prairie Land Electric because the lift station is not within City limits.

Commissioner Johnson moved to approve appropriation ordinance #23. Commissioner Pounds seconded. Motion carried unanimously.

PUBLIC COMMENTS

There were no public comments.

PUBLIC HEARING:**BUDGET AMENDMENT**

Mayor Wentz opened the public hearing.

Finance Director Farha said the amendment was needed for the emergency telephone and wireless 911 funds, in order to purchase the CAD system for the dispatch department. The maximum expenditures can now be allowed.

Mayor Wentz closed the public hearing.

Commissioner Johnson moved to approve the budget amendment as presented. Commissioner Parker seconded. Motion carried unanimously.

REVOLVING LOAN FUND – THREADS FOR HIM

Mayor Wentz opened the public hearing.

Kirk Lowell presented the agreement with Kristina and Chris Edin, the new owners of Threads for Him. The Edins have received financing from Central National Bank on their project, but require additional financing. Along with their own funds, they have supplemented with a low interest, unsecured loan from Startup Kansas. To reach the project's \$284,000 total, \$78,700 is needed from the revolving loan fund.

Since the original paperwork was drawn up, the bank had received the commercial appraisal, raising the amount the bank could loan. Should the commission choose, the Edins might only need approximately \$48,000 from the revolving loan fund. Mr. Lowell said if the loan is approved, the City should also agree to be a partner with Startup Kansas.

Mayor Wentz closed the public hearing.

NEW BUSINESS:

APPROVAL OF THREADS FOR HIM REVOLVING LOAN

Commissioner Johnson moved to approve the Threads for Him revolving loan for the full amount of \$78,700, and to authorize the mayor to enter in to the agreement with the financing of the Startup Kansas loan. Commissioner Parker seconded. Motion carried unanimously.

CLOUDCORP 2012 PROFESSIONAL SERVICES AGREEMENT **APPROVED**

Kirk Lowell presented the 2012 Cloudcorp agreement, requesting funds of \$55,000, which increases \$5000 over the previous year. Mr. Lowell fielded questions from the commission of possible upcoming projects. Commissioner Pounds wondered if we should look into things such as new housing to make the community more attractive for prospective businesses.

Commissioner Fraser moved to approve the Cloudcorp 2012 professional services agreement. Commissioner Parker seconded. Motion carried unanimously.

CAMPBELL & JOHNSON 2012 CONTRACT **APPROVED**

City Manager Uri said their request would be the same as 2011, which is \$1200 per month. Commissioner Johnson asked if detailed invoices for this monthly service were provided. City Manager Uri said they were not. Commissioner Johnson said without this detail there is no way of knowing what work is done.

Mayor Wentz moved to approve the Campbell & Johnson contract for \$1200 per month. Commissioner Fraser seconded. Motion carried unanimously.

DESIGNATION OF OFFICIAL DEPOSITORIES **APPROVED**

City Manager Uri explained that this names all local banks as depositories where the City may invest its funds. He said the City has a legal requirement to invest in local institutions.

Commissioner Pounds moved to approve Citizens National Bank, Central National Bank, United Bank & Trust, Peoples Exchange Bank, and Elk State Bank as official depositories for 2012. Commissioner Parker seconded. Motion carried unanimously.

AFFIRMATION OF EXEMPT PROPERTY STATUS FOR IRB CERTIFICATIONS **APPROVED**

City Manager Uri said this is an annual event of businesses that have received industrial revenue bonds from the City and are required to certify to the City annually that they still have property exempt from taxation.

Mayor Wentz moved that Mt. Joseph Senior Village and Concordia Tractor have complied with the requirements of the IRB bond criteria, and to direct the City Clerk to certify and notify the Division of Property Values. Commissioner Fraser seconded. Motion carried unanimously.

CMB LICENSES **APPROVED**

Casey's General Store, Thunder Strikez Bowling Alley, Gambino's Pizza, El Puerto Mexican Restaurant, Wood Oil, Short Stop (Stores 4 and 10), Pizza Hut, Wal-Mart, Country Honky Tonk, and Rod's Rod Store were up for approval. City Clerk Crum stated that Premier Petroleum responded late and did not make the list but also needed to be approved.

Commissioner Parker moved to approve the CMB licenses listed, including Premier Petroleum.

Commissioner Pounds seconded. Motion carried unanimously.

ADA POOL EQUIPMENT

APPROVED

Ron Copple presented the request. The ADA requirements must be met by 2013, as the pool is over 300 lineal feet. The pool must have two means of access, either slings or ramps, and steps. The slings are \$5815.20, and one each is needed at the main pool and the training pool. The steps are \$4184.00. Mr. Copple said the amount for the purchase will need to be encumbered.

Mayor Wentz moved to approve purchase of the two slings and the steps, to meet ADA requirements. Commissioner Fraser seconded. Motion carried unanimously.

PIERCE ELECTRONICS – NEW DISPATCH RADIO CONSOLE

APPROVED

Chris Edin said that the current equipment is not narrow band compliant. The FCC mandates that the compliance must be accomplished by January 2013. The quote from Pierce Electronics is \$31,490. This would be paid from either the emergency telephone or 911 fund.

Upon Commissioner Parker's questions, Mr. Edin said he would find out about the warranty, and whether there is a yearly maintenance fee.

Commissioner Johnson moved to approve the purchase of the dispatch radio console for \$31,490, to be paid from either the emergency telephone or 911 fund. Commissioner Parker seconded. Motion carried unanimously.

WEATHER CAMERA

APPROVED

Chris Edin said recently the police department purchased a live weather monitor. Weather, radar data, and forecast can be obtained, but there is no camera for a local live feed. Not only can any internet user view this, but it would be beneficial for dispatch, as they would be able to move the camera. Funds are available in the emergency telephone or 911 fund, and the cost is \$7000.

Commissioner Parker moved to approve the purchase of the weather camera for \$7000. Commissioner Johnson seconded. Motion carried unanimously.

TASER GRANT PURCHASE

APPROVED

Chris Edin said a law enforcement grant was recently received. As every law enforcement agency in the county is eligible for a portion of the grant, the County is to receive half of this money. A check has been given to the sheriff's department for \$5875. Mr. Edin said his plans for the City's portion is to purchase seven tasers for \$6299.45. The civil forfeiture fund will make up the difference of \$424.45.

Commissioner Fraser moved to approve the purchase of the tasers, and to use other funds to pay for the balance. Commissioner Parker seconded. Motion carried unanimously.

DEEDS TO DEMOLITION LOTS

APPROVED

City Manager Uri said both lots, at 834 E. 5th and 324 W. 2nd, had structures which were demolished under the City's demo program. Both owners have forfeited the property to waive the fees, giving the City ownership. City Manager Uri said the properties will be sold by sealed bids.

Commissioner Pounds moved to approve the mayor to enter into contracts for these properties, to file the deeds, and to sell the properties at public sale. Commissioner Fraser seconded. Motion carried unanimously.

RESOLUTIONS:

2011-1915 WAIVER OF GAAP

PASSED

Thereupon, there was presented to the City Commission a Resolution entitled:

WHEREAS THE CITY OF CONCORDIA, KANSAS, HAS DETERMINED THAT THE FINANCIAL STATEMENTS AND FINANCIAL REPORTS FOR THE YEAR ENDED DECEMBER 31, 2012, TO BE PREPARED IN CONFORMITY WITH THE REQUIREMENTS OF K.S.A. 75-1120A(A) ARE NOT RELEVANT TO THE REQUIREMENTS OF THE CASH BASIS AND BUDGET LAWS OF THIS STATE AND ARE OF NO SIGNIFICANT VALUE TO THE GOVERNING BODY OR THE MEMBERS OF THE GENERAL PUBLIC OF THE CITY OF CONCORDIA.

The Resolution was considered and discussed; and thereupon on motion of Mayor Wentz, seconded by Commissioner Parker, the Resolution was adopted by the following roll call vote:

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2011-1915 was signed and approved by the Mayor and attested by the Clerk.

2011-1916 AUTHORIZED CHECK SIGNERS

PASSED

Thereupon, there was presented to the City Commission a Resolution entitled:

WHEREAS, THE GOVERNING BODY FINDS THAT THE BEST INTERESTS OF THE CITY TO DESIGNATE THE POWERS AND AUTHORITIES OF CITY EMPLOYEES WITH RESPECT TO CERTAIN ACCOUNTS OF THE CITY;

The Resolution was considered and discussed; and thereupon on motion of Commissioner Parker, seconded by Commissioner Johnson, the Resolution was adopted by the following roll call vote:

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2011-1916 was signed and approved by the Mayor and attested by the Clerk.

2011-1917 DEFINING CORPORATE LIMITS OF THE CITY

PASSED

Thereupon, there was presented to the City Commission a Resolution entitled:

WHEREAS, BY ORDINANCE NUMBERED 2011-3025, THE CORPORATE LIMITS OF THE CITY OF CONCORDIA, KANSAS; WERE ENLARGED DURING THE YEAR 2011 TO INCLUDE THE AREA DESCRIBED IN SAID ORDINANCE; AND

The Resolution was considered and discussed; and thereupon on motion of Mayor Wentz, seconded by Commissioner Fraser, the Resolution was adopted by the following roll call vote:

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2011-1917 was signed and approved by the Mayor and attested by the Clerk.

2011-1918 WAIVER OF GAAP

PASSED

Thereupon, there was presented to the City Commission a Resolution entitled:

WHEREAS THE CITY OF CONCORDIA, KANSAS, HAS DETERMINED THAT THE FINANCIAL STATEMENTS AND FINANCIAL REPORTS FOR THE YEAR ENDED DECEMBER 31, 2012, TO BE PREPARED IN CONFORMITY WITH THE REQUIREMENTS OF K.S.A. 75-1120A(A) ARE NOT RELEVANT TO THE REQUIREMENTS OF THE CASH BASIS AND BUDGET LAWS OF THIS STATE AND ARE OF NO SIGNIFICANT VALUE TO THE GOVERNING BODY OR THE MEMBERS OF THE GENERAL PUBLIC OF THE CITY OF CONCORDIA;

The Resolution was considered and discussed; and thereupon on motion of Commissioner Parker, seconded by Commissioner Pounds, the Resolution was adopted by the following roll call vote:

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2011-1918 was signed and approved by the Mayor and attested by the Clerk.

2011-1919 WATER ADJUSTMENT POLICY

PASSED

Thereupon, there was presented to the City Commission a Resolution entitled:

WHEREAS, THE GOVERNING BODY FINDS THAT THE BEST INTERESTS OF THE CITY IS SERVED BY ADOPTING CERTAIN POLICIES REGARDING THE ADJUSTMENT OF UTILITY BILLS AND REPEALING CERTAIN OTHER POLICES REGARDING THE SAME.

The Resolution was considered and discussed; and thereupon on motion of Commissioner Pounds, seconded by Commissioner Parker, the Resolution was adopted by the following roll call vote:

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

Nay: None.

Thereupon, the Mayor declared said Resolution duly passed and the Resolution was then duly numbered Resolution No. 2011-1919 was signed and approved by the Mayor and attested by the Clerk.

MANAGER'S REPORT

City Manager Uri suggested moving the study session items to staff comments to facilitate time.

City Manager Uri talked about CloudCorp's annual meeting, which will feature the director of the center for economic development at Wichita State.

Concerning the flood control project, City Manager Uri said the Corps of Engineers and KLA Engineering will be meeting soon to determine how to proceed with the project. The first step is to get the dirt work done so that lots are available for sale, with the goal of completing this step next year.

City Manager Uri said the County has formally entered into an agreement for land at the north development for the new jail.

MAYOR/COMMISSIONER COMMENTS AND REPORTS

Commissioner Pounds asked if Swenson, Brewer and Long have a contract with the City. City Manager Uri said their only role is as court prosecutor, and as they do no legal work, no contract is necessary.

Commissioner Johnson asked about the situation with Kent Smith. City Manager Uri said Mr. Smith has been paid for the property.

Commissioner Parker said he agreed with Commissioner Pounds, that Concordia is in need of housing developments. He also said he'd been approached by a citizen residing near the County weed department, saying dust is a problem on that street. Commissioner Parker wondered who cleans the debris from the golf course trees that falls on the street and sidewalk.

Commissioner Fraser thanked the City staff for running the street sweeper on side streets to pick up leaves.

Mayor Wentz thanked the crew for putting up the snowflakes.

STAFF COMMENTS

Bruno Rehbein said the planning commission had a public hearing for the McDonald's site plan. It will be brought before the commission at the January 4 meeting.

Chad Buckley provided an update of the furnaces at the Alco building. The thermostats need replaced to be able to turn the setting down to 40 degrees. He also presented a proposal from Hood's on a new unit, to replace one that is not properly working. The proposal also contained an estimate on repairing the old unit. The repair cost will be presented to the County, as the two entities are sharing all costs on the building.

Chris Edin said the shelter will be done in a couple of weeks, and thanked the City crews doing the work. He also said the new CAD system is installed, with training completed. Mr. Edin discussed possible repairs of two police units, replacing the transmissions and painting them. He showed a short video of a motorcycle the department is wishing to lease for patrol.

Larry Eubanks said the long range plan for the older ambulance is completely refurbishing it rather than purchasing a new one. The cost is substantially lower, and will most likely be done as soon as the ambulance begins having mechanical problems.

EXECUTIVE SESSION – ATTORNEY-CLIENT PRIVILEGE

HELD

Mayor Wentz moved that the commission recess into executive session for ten (10) minutes for an attorney-client privilege discussion. Inviting: City Manager Uri. Commissioner Pounds seconded. Motion carried by the following vote:

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

Nay: None.

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Time: 8:24 p.m.

The commission reconvened at 8:34 p.m.

Mayor Wentz announced there was no binding action taken.

EXECUTIVE SESSION – NON-ELECTED PERSONNEL

HELD

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

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

Nay: None.

Time: 8:35 p.m.

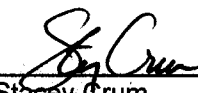
The commission reconvened at 8:40 p.m.

Mayor Wentz announced there was no binding action taken.

ADJOURN

There being no further business, Commissioner Johnson moved to adjourn the meeting. Mayor Wentz seconded. Motion carried unanimously. The meeting adjourned at 8:40 p.m.

(Seal)



Stacey Crum
City Clerk