REGULAR COMMISSION MEETING MINUTES
TUESDAY, OCTOBER 28, 2014
6:30 P.M.

The Board of Commissioners met in Regular Session at 6:30 p.m. with Mayor Jim Falkner presiding.

Present:
MAYOR JIM FALKNER
COMMISSIONER DON EDWARDS
COMMISSIONER MARCUS KASTLER
COMMISSIONER JUSTIN MARTIN
COMMISSIONER CHRIS WILLIAMS

City Staff in attendance were:
INTERIM CITY MANAGER JAMESS GRIMMETT
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR STEPHANIE RICHARDSON
IT DIRECTOR CHRIS FELIX
POLICE CHIEF TONY CELESTE
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
PUBLIC WORKS DEPUTY DIRECTOR JIM BRADSHAW
ELECTRIC UTILITY DIRECTOR GENE RATZLAFF
DEPUTY ELECTRIC UTILITY DIRECTOR MIKE SHOOK
ARCHITECT/PLANNER DENNIS JACOBS
HUMAN RESOURCES OFFICER MARILYNN EVENSON
ASSISTANT TO THE CITY MANAGER TRISHA PURDON

A. CALL TO ORDER – Mayor Jim Falkner

B. INVOCATION – Pastor Doug Mund, Grace Fellowship Church

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. REVIEW OF AGENDA

E. CONSENT AGENDA ITEMS

1. Regular City Commission Meeting Minutes – Tuesday, October 14, 2014
2. 2014 Appropriation Ordinance No. AO-14-19 – $6,782,313.89

MOTION: Move to approve the consent agenda as presented.

ACTION: MOTION: FALKNER SECOND: EDWARDS
ALL AYE

<u>REGULAR AGENDA ITEMS</u>

F. PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).

1. A proclamation to declare Saturday, November 1, 2014, as Buddy Poppy Day.
   - Mayor Falkner read and presented a proclamation to Charlene Wilkinson from the VFW Auxiliary declaring November 1 as Buddy Poppy Day.

G. COMMENTS FROM THE PUBLIC

The public is free to comment on items not listed on agenda. Public participation is welcome

and encouraged for all items on the agenda as the topics are discussed. Please be mindful of others who may also wish to speak and limit your time at the podium appropriately.

H. OLD BUSINESS

1. Ordinance No. S-14-06 – Second Reading of an Ordinance to rezone property located at 504-508 N. Buckeye.

   MOTION: Move to approve Ordinance No. S-14-06 for adoption.

   ACTION: MOTION: EDWARDS SECOND: MARTIN
   ALL AYE

I. NEW BUSINESS

1. Resolution No. R-14-78 – A Resolution to approve a housing development loan to Tom Carlson.
   - City Attorney Paul Kritz stated Tom Carlson is requesting a permanent loan in the amount of $200,000 in order to complete the financing for the development and construction of 18 additional single-family houses in the Browns Riverside Addition on South Walnut. The loan will accrue interest at the rate of 3%, and the loan will be repaid from the sale of the units after the tax-credit rental period expires in 15 years. Tom Carlson provided more information on his project stating his homes will be 3-bedroom, 2-bath, 2-car garage units.

   MOTION: Move to approve Resolution No. R-14-78 for adoption.

   ACTION: MOTION: FALKNER SECOND: KASTLER
   ALL AYE

2. Discussion and action to appoint one person to the Planning Commission serving to January 1, 2016.

   Applicants: Steve Cornell, Steve Westervelt

   MOTION: Move to appoint Steve Cornell to an unexpired term on the Planning Commission serving to January 1, 2016.

   ACTION: MOTION: FALKNER SECOND: EDWARDS
   ALL AYE

3. Resolution No. R-14-79 – A Resolution to execute a work authorization with TranSystems for a potential CDBG project.
   - Public Works Director Chuck Shively stated the city is submitting a community development block grant for the 9th Street project. The applications are very competitive, and one category that is considered is readiness which provides points for having an engineering services agreement in place when the application is submitted. The work authorization with TranSystems would only become effective if the City of Coffeyville is awarded the grant. Commissioner Edwards requested information on what it would take for the City to hire their own engineer.

   MOTION: Move to approve Resolution No. R-14-79 for adoption.

ACTION: MOTION: FALKNER SECOND: MARTIN
ALL AYE EXCEPT COMMISSIONER EDWARDS WHO VOTED NO

4. Resolution No. R-14-80 – A Resolution to execute change order #2 with Bryant & Bryant Construction for the Highway 166 KLINK project.
   - Public Works Director Chuck Shively stated the recently completed KDOT KLINK grant project on 11th Street was bid based on unit prices bid times estimated quantities to be completed. The final quantity change order #2 results in a reduction in the final cost of $88,797.60.

MOTION: Move to approve Resolution No. R-14-80 for adoption.

ACTION: MOTION: FALKLNER SECOND: WILLIAMS
ALL AYE

5. Resolution No. R-14-81 – A Resolution to execute change order #1 with Muller Construction for the Union Street project.

   - Public Works Director Chuck Shively stated this change order adjusts the contract price to reflect the unit prices bid times the actual quantities completed for the Union Street project. The increased cost, $18,506.50, can be attributed to the over excavation, GeoGrid and increased rock backfill of the area where the old sewer line trench was in worse shape than originally thought.

MOTION: Move to approve Resolution No. R-14-81 for adoption.

ACTION: MOTION: EDWARDS SECOND: FALKNER
ALL AYE

6. Resolution No. R-14-82 – A Resolution to authorize the transfer of $2,300,000 from the CRNF tax settlement proceeds to the economic development fund account.

MOTION: Move to approve Resolution No. R-14-82 for adoption.

ACTION: MOTION: EDWARDS SECOND: MARTIN
ALL AYE

7. Discussion on the sale of property at 503 Centennial.
   - City Clerk Cindy Price stated the City purchased 503 Centennial for $80,000 in 2013 with funds from the KHRC grant. Since the house was purchased, the City has incurred an additional $1,646.9 of expenses including taxes and mowing. No rehab dollars have been invested in this property to date. An offer of $75,000 has been received on the house with the City paying the closing costs.

MOTION: Move to proceed with the sale of 503 Centennial and authorize the Mayor to sign any and all documents related to the sale.

ACTION: MOTION: FALKNER SECOND: MARTIN
ALL AYE

8. Resolution No. R-14-83 – A Resolution to execute a contract with G & G Dozer for the demolition of structures in the City of Coffeyville.
   - Code Enforcement Tammy Dixon stated 24 houses were put out for bid for demolition; 15 which included asbestos removal and nine which did not. The total bids came in higher than the funds available; therefore, the two houses which had recently been donated to the city were removed. There were two bids received for packet #1. Staff was recommending G & G Dozer receive the bid for packet #1 due to the good working relationship experienced and the fact they are a local vendor. JRB was low bidder on both projects. Jim Beachner, JRB Industries, questioned why both bids were not being awarded to the low bidder and objected to the way the city was treating his company.

   MOTION: Move to approve Resolution No. R-14-63 for adoption.

   ACTION: MOTION: FALKNER SECOND: MARTIN

   MOTION: Move to withdraw motion.

   MOTION: FALKNER SECOND: MARTN
   ALL AYE

   MOTION: Move to table Resolution No. R-14-83 and R-14-84 until end of meeting.

   MOTION: WILLIAMS SECOND: MARTIN
   ALL AYE

9. Resolution No. R-14-84 – A Resolution to execute a contract with JRB Industries for the demolition of structures in the City of Coffeyville.
   - Tabled until the end of meeting.

10. Resolution No. R-14-85 – A Resolution to execute an agreement with Kansas Municipal Electric Agency to assist in FERC compliance and communications for the Electric Utility.
    - Electric Utility Director Gene Ratzlaff stated with this agreement KMEA will act as the point of contact with the Southwest Power Pool and assist in implementing and complying with all instructions and directions from SPP to the City relating to the City's role as transmission owner.

    MOTION: Move to approve Resolution No. R-14-85 for adoption.

    ACTION: MOTION: FALKNER SECOND: WILLIAMS
    ALL AYE

11. Discussion on utility line on the west side of the Westside Shopping Center.
    - City Manager James Grimmett stated the owner of the Westside Shopping Center had approached the former City Manager Gary Bradley about taking over the private utility line behind the center. Jim Bradshaw reviewed the utility lines and put together the preliminary cost estimate of $76,000 to meet the Kansas Department of Health & Environment standards. He stated there are several other instances of lines such as these throughout the City, and if we take over one, we will

be asked to take over others. Commissioners agreed the City should not take over these private water and sanitary sewer lines.

12. Discussion on fountain at Pfister Park.
    - Commissioner Kastler stated he is interested in looking at placing flower beds and LED lighting at the Pfister Park fountain area. Costs will be determined for the water and electric required.

13. Discussion on allowing the Sunday sale of cereal malt beverages for off premise consumption.
    - Commissioner Martin stated he believes the City is losing revenue from not having Sunday sales of cereal malt beverage. He is proposing allowing Sunday sales and using the portion of the alcoholic liquor tax currently going to the general fund be used for economic development purposes. After additional discussion, Commissioners requested Attorney Kritz bring back an ordinance allowing both the Sunday sale of cereal malt beverage and alcoholic liquor with the City's general fund portion of the liquor tax going to economic development. Commissioners can approve Sunday sales by ordinance. If a petition is filed which meets the criteria of the state statute, an election would need to be held for approval of the sales.

14. Comments from Commissioners and Staff
    - Commissioner Edwards stated Montgomery County Action Council is working on economic development efforts for Coffeyville in mitigating the jobs lost.

MOTION: Move to fund the Montgomery County Action Council at $25,000 a year beginning with the next quarterly payment.

ACTION: MOTION: EDWARDS SECOND: MARTIN
ALL AYE

- City Clerk Cindy Price reported the first meeting in November will be held November 12 as November 11 is Veterans Day which is a holiday for employees. She also reviewed the ad the League of Kansas Municipalities has developed for the city manager position. Commissioners requested the locations the ad is placed be broadened and include Texas.

- Police Chief Tony Celeste reported over 900 people attended the Haunted House held during Spooktacular, and there is nothing new to report on the 911 consolidation efforts.

J. EXECUTIVE SESSION(s)

MOTION: Move to adjourn to executive session for attorney client relationship to include Aaron Heckman and Trisha Purdon to reconvene on or before 8:40 p.m.

ACTION: MOTION: FALKNER SECOND: EDWARDS
ALL AYE

Time the meeting was reconvened: 8:40 p.m.

MOTION: Move to adjourn to executive session for attorney client relationship to include Aaron Heckman and Trisha Purdon to reconvene on or before 8:50 p.m.

ACTION: MOTION: FALKNER SECOND: EDWARDS
ALL AYE

Time the meeting was reconvened: 8:50 p.m.

MOTION: Move to adjourn to executive session for attorney client relationship to include Tammy Dixon to reconvene on or before 9:00 p.m.

ACTION: MOTION: FALKNER SECOND: EDWARDS
ALL AYE

Time the meeting was reconvened: 9:00 p.m.

MOTION: Move to adjourn to executive session for attorney client relationship to include Tammy Dixon to reconvene on or before 9:10 p.m.

ACTION: MOTION: FALKNER SECOND: EDWARDS
ALL AYE

Time the meeting was reconvened: 9:10 p.m.

MOTION: Move to adjourn to executive session for attorney client relationship to include Tammy Dixon to reconvene on or before 9:15 p.m.

ACTION: MOTION: FALKNER SECOND: EDWARDS
ALL AYE

Time the meeting was reconvened: 9:15 p.m.

MOTION: Move to approve Resolutions No. R-14-83 and Resolution No. R-14-84 to execute contracts with JRB Industries for the demolition of structures in the City of Coffeyville.

ACTION: MOTION: FALKNER SECOND: EDWARDS
ALL AYE

Time the meeting was reconvened: 9:20 p.m.

MOTION: Move to adjourn to executive session for discussion of non-elected personnel to reconvene on or before 9:20 p.m.

ACTION: MOTION: FALKNER SECOND: EDWARDS
ALL AYE

Time the meeting was reconvened: 9:20 p.m.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Building Permit Report
2. Amazon.com WARN letter

L. ADJOURN

MOTION: Move to adjourn.

ACTION: MOTION: FALKNER SECOND: EDWARDS
ALL AYE

Time the meeting was adjourned: 9:21 p.m.

Date the minutes were approved: _____

_____
Cindy Price, City Clerk