REGULAR COMMISSION MEETING MINUTES
TUESDAY, NOVEMBER 10, 2015
6:30 P.M.

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

Present:

MAYOR CHRIS WILLIAMS
COMMISSIONER MARCUS KASTLER
COMMISSIONER JUSTIN MARTIN
COMMISSIONER CRAIG POWELL
COMMISSIONER JIM C. TAYLOR, JR.

City Staff in attendance were:

CITY MANAGER KENDAL FRANCIS
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR STEPHANIE RICHARDSON
IT DIRECTOR CHRIS FELIX
ELECTRIC UTILITY DIRECTOR GENE RATZLAFF
ELECTRIC UTILITY DEPUTY DIRECTOR MIKE SHOOK
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
ENGINEERING SUPERINTENDENT THOMAS OSBORN
FIRE CHIEF JAMES GRIMMETT
POLICE CHIEF KWIN BROMLEY
ASSISTANT TO CITY MANAGER TRISHA PURDON

A. CALL TO ORDER – Mayor Chris Williams

B. INVOCATION – Pastor Mark Wilson, First Church of God

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. REVIEW OF AGENDA

E. CONSENT AGENDA

1. Regular City Commission Meeting Minutes – Tuesday, October 27, 2015
2. 2015 Appropriation Ordinance No. AO-15-20 – $ 880,004.89
3. Resolution No. R-15-136 – A Resolution to submit a Safe Routes to School Grant application.
4. Resolution No. R-15-137 – A Resolution to approve two easement encroachment agreements with CVR Energy.

MOTION: Move to approve the consent agenda as presented.

ACTION: WILLIAMS SECOND: KASTLER
ALL AYE

<u>REGULAR AGENDA ITEMS</u>

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

1. Mayor Williams presented the 2015 employee service awards.

G. COMMENTS FROM THE PUBLIC

- Jim Falkner, 1014 W. 3rd, asked about the progress on codification and expressed concern over a stray animal he took to the animal shelter which was not required to be tagged when it was picked up by the owner.
- Pastor Mark Wilson invited everyone to the Coffeyville Thanksgiving service on Sunday, November 22, 6 p.m., at the First United Methodist Church.
- Richard Pugh, 905 Eldridge Street, stated the City is the biggest violator of the weed ordinance.
- Margaret Lindell, 4th Street, expressed concern over the timing of the street lights in the downtown.
- Tosha Williams, 2203 W 2nd, thanked the City for applying for the safe routes to school grant.
- Katie Lawrence, 612 W 1st, stated the property behind her house is full of trash and timber and expressed concern over the code enforcement officer contacting her about the condition of her property as she is recycling.

H. OLD BUSINESS

I. NEW BUSINESS

1. Resolution No. R-15-138 – A Resolution to execute an agreement with KC Utility Packaging for substation equipment for the electric utility.
   - Electric Utility Deputy Director Mike Shook stated four proposals were received for the substation steel for the New Generation Power Plant with KC Utility Packaging being the low bidder at $54,593.46.

   MOTION: Move to approve Resolution No. R-15-138 for adoption.

   ACTION: TAYLOR SECOND: POWELL
   ALL AYE

2. Resolution No. R-15-139 – A Resolution to execute an agreement with CCC Group for electrical installation services for the electric utility.
   - Electric Utility Deputy Director Mike Shook stated four proposals were received for the electrical installation services for the New Generation Power Plant with CCC Group being the low bidder at $2,756,842.

   MOTION: Move to approve Resolution No. R-15-139 for adoption.

   ACTION: POWELL SECOND: KASTLER
   ALL AYE

3. Resolution No. R-15-140 – A Resolution to execute Task Authorization #6 with Burns & McDonnell for environmental specialist and field testing support for the electric utility.
   - Electric Utility Deputy Director Mike Shook stated Phase I and Phase II environmental assessments were completed for the New Generation Power Plant by the Kansas Department of Health & Environment. No soil contamination was found on site, however, KDHE has recommended during the drill pier phase and underground duct bank installation phase, any groundwater encountered be analyzed for contamination.

Burns & McDonnell will provide this service under task authorization #6 at a cost not to exceed $101,150.

MOTION: Move to approve Resolution No. R-15-140 for adoption.

ACTION: POWELL SECOND: WILLIAMS
ALL AYE

4. Resolution No. R-15-141 – A Resolution to execute a change order with Wartsila to supply remote system control access for the electric utility.
   - Electric Utility Deputy Director Mike Shook stated this change order is to provide secure remote access of the Wartsila control systems; this item was inadvertently left out of the original Wartsila scope. The cost of the change order is $26,912.

   MOTION: Move to approve Resolution No. R-15-141 for adoption.

   ACTION: TAYLOR SECOND: WILLIAMS
   ALL AYE

5. Resolution No. R-15-142 – A Resolution to execute an engagement letter with Allen, Gibbs & Houlik for sales and use tax consulting services.
   - Finance Director Stephanie Richardson stated staff consulted with the Kansas Department of Revenue for assistance in determining the sales and use tax application for purchases related to the New Generation Power Plant. Following the discussion, there are still questions pertaining to the taxability of certain services and materials. Burns & McDonnell recommended a tax attorney or CPA assist the city. Larry Arnold with Allen, Gibbs & Houlik has provided these services for other clients in the power generation industry and will provide the services for Coffeyville at a not to exceed fee of $15,000.

   MOTION: Move to approve Resolution No. R-15-142 for adoption.

   ACTION: POWELL SECOND: TAYLOR
   ALL AYE

6. Ordinance No. G-15-06 – First Reading of an Ordinance to amend the weed ordinance.
   - City Attorney Paul Kritz stated the current weed ordinance as written is inconsistence and leads to confusion in enforcement. Staff compared ordinances from several cities and incorporated the best practices into a common sense approach to dealing with high grass and weeds. Commissioner Martin wanted clarification on how abandoned rail spurs would be handled; Taylor expressed concern about industrial properties and suggested there needed to be exceptions as people are poor.

   MOTION: Move to approve Ordinance No. G-15-06 for First Reading.

   ACTION: MARTIN SECOND: KASTLER
   ALL AYE

7. City Manager Report

- City Manager Kendal Francis reported the officers involved in the recent shooting should be back on administrative duty in the next week to week and a half. The suspect is expected to be released from the hospital soon, and the city is responsible for his medical expenses. A meeting was recently held to discuss community branding.

8. Comments from Commissioners and Staff
   - Commissioner Taylor questioned how the guidelines for citizen participation at meetings came up and expressed displeasure this was voted on at a meeting when he was not present.

J. EXECUTIVE SESSION(s)

1. Acquisition of real property
2. Non-elected personnel

MOTION: Move to recess to executive session for the discussion of the acquisition of real property and non-elected personnel to reconvene on or before 8:40 p.m.

ACTION: WILLIAMS SECOND: MARTIN
ALL AYE

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

The Mayor announced there was no action taken as a result of the executive session.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales and property tax reports
2. Building permit report

L. ADJOURN

MOTION: Move to adjourn.

ACTION: WILLIAMS SECOND: MARTIN
ALL AYE

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

Date the minutes were approved: _____

_____
Cindy Price, City Clerk