REGULAR COMMISSION MEETING MINUTES
TUESDAY, NOVEMBER 24, 2015
6:30 P.M.

The Board of Commissioners met in Regular Session at 6:30 p.m. with Vice Mayor Justin Martin presiding.

Present:
COMMISSIONER MARCUS KASTLER
COMMISSIONER JUSTIN MARTIN
COMMISSIONER CRAIG POWELL
COMMISSIONER JIM C. TAYLOR, JR.

Absent:
MAYOR CHRIS WILLIAMS

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

A. CALL TO ORDER – Vice Mayor Justin Martin

B. INVOCATION – Pastor Randy DePriest, First Assembly of God

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. REVIEW OF AGENDA

E. CONSENT AGENDA

1. Regular City Commission Meeting Minutes – Tuesday, November 10, 2015
2. Special City Commission Meeting Minutes – Friday, November 13, 2015
3. 2015 Appropriation Ordinance No. AO-15-21 – $5,292,811.52

MOTION: Move to approve the consent agenda as presented.

ACTION: POWELL SECOND: MARTIN
ALL AYE EXCEPT WILLIAMS WHO WAS ABSENT

<u>REGULAR AGENDA ITEMS</u>

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

G. COMMENTS FROM THE PUBLIC

- Mary Wilson, 207 W. New, stated she had heard some opposition to the signs on the fencing along Woodland.

H. OLD BUSINESS

1. Ordinance No. G-15-06 – Second Reading of an Ordinance to amend the weed ordinance.

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

   ACTION: TAYLOR SECOND: MARTIN
   ALL AYE EXCEPT WILLIAMS WHO WAS ABSENT

I. NEW BUSINESS

1. Resolution No. R-15-143 – A Resolution to purchase real property located at 1000 Gillam.
   Item postponed

2. Resolution No. R-15-144 – A Resolution to purchase real property located at 1220 W. 11th Street.
   Item postponed

3. Ordinance No. S-15-09 – First Reading of an Ordinance to rezone property located at 1000 Gillam from R-1 single family to C-4 service commercial.
   Item postponed

4. Resolution No. R-15-145 – A Resolution to execute Bond Agreement Amendment No 1 for Harmon Properties industrial revenue bonds.
   - Sarah Steele, Gilmore & Bell, stated this was a housekeeping item pertaining to the industrial revenue bonds issued to Harmon Properties for the Best Western Hotel in 2004. Harmon Properties has negotiated with Arvest Bank to impose a maximum interest rate of 5% on the bonds for the time period from December 1, 2015, through November 30, 2020. The bonds have an adjustable rate and will float up and down through this time period but will not exceed the 5%. Since the city issued the bonds, they must ratify the agreement.

   MOTION: Move to approve Resolution No. R-15-145 for adoption.

   ACTION: POWELL SECOND: MARTIN
   ALL AYE EXCEPT WILLIAMS WHO WAS ABSENT

5. Resolution No. R-15-146 – A Resolution to set a public hearing for the creation of a community improvement district in Coffeyville for Niel Hotel (Holiday Inn Express).
   - Sarah Steele, Gilmore & Bell, stated Larry Patel, CEO of Niel Hotel, has petitioned the city establish a community improvement district (CID) for the new Holiday Inn Express. A CID district can charge up to a 2% additional sales tax which creates a new revenue source to be used to finance the real estate development. This is a program which is frequently used for hotel projects. The resolution sets the public hearing for the creation of the CID for Tuesday, December 22.

   MOTION: Move to approve Resolution No. R-15-146 for adoption.

   ACTION: TAYLOR SECOND: POWELL
   ALL AYE EXCEPT MARTIN WHO VOTED NO AND WILLIAMS WHO WAS ABSENT

6. Resolution No. R-15-147 – A Resolution to execute an agreement with Montgomery County for pictometry aerial imagery.
   - Engineering Superintendent Thomas Osborn reviewed the benefits of pictometry and the multiple uses the city has for the program. By partnering with the county, they will provide updated maps along with extensive ownership data.

   MOTION: Move to approve Resolution No. R-15-147 for adoption.

   ACTION: KASTLER SECOND: TAYLOR
   ALL AYE EXCEPT MARTIN WHO VOTED NO AND WILLIAMS WHO WAS ABSENT

7. Resolution No. R-15-148 – A Resolution to approve distribution of the 2015 alcoholic liquor funds.
   - Finance Director Stephanie Richardson stated the State of Kansas imposes a 10% tax upon the gross receipts derived from the sale of alcoholic liquor by any club, eatery, drinking establishment or temporary permit holder. The funds are remitted to the State who sends them back to communities who have a population of more than 6,000. One third of the funds are to go to the general fund; one third to a special parks and recreation fund and one third to a special alcohol and drug programs fund. The portion going to the alcohol and drug fund are to be used for alcohol and drug prevention programs. Staff recommended distributing the funds the same as in 2014 with one third each going to Four County Mental Health, Boys & Girls Club and the Police Department. In 2016, the allocation process will be changed to more closely resemble that of a grant application. Commissioners determined they did not want to fund Four County and would distribute one third of the funds to the Coffeyville Boys & Girls Club and two thirds to the Coffeyville Police Department for the DARE program.

   MOTION: Move to approve Resolution No. R-15-148 or adoption.

   ACTION: MARTIN SECOND: POWELL
   AYE – POWELL AND MARTIN; TAYLOR – NO; KASTLER – ABSTAIN AND WILLIAMS ABSENT

8. Resolution No. R-15-149 – A Resolution to establish fiber internet rates for the Coffeyville Internet Utility.
   - IT Director Chris Felix stated the City's largest internet customer needs to increase their speed. Currently the city does not have a structure in place to offer pricing tiers. Research has been done to determine what other local providers are charging as well as the surrounding areas. Three tiers will be offered – general, enterprise/commercial and anchor institutions. There are some areas of town where it would be easy to provide fiber optic service, and these rates will be used for adding new customers, also.

   MOTION: Move to approve Resolution No. R-15-149 for adoption.

   ACTION: POWELL SECOND: KASTLER
   ALL AYE EXCEPT MARTIN WHO VOTED NO AND WILLIAMS WHO WAS ABSENT

9. Resolution No. R-15-150 – A Resolution to purchase boiler 5 division wall tubes for the Electric Utility.
   - Electric Generation Superintendent Tony Lawson stated in 2013 there was a firebox explosion in boiler #5 which resulted in the replacement of the D tubes, rear outer wall tubes and casing. The division wall tubes were visually inspected and appeared to be okay. Since that time, there have been four repairs made to the tubes. After the last repair, another inspection showed a slight bow in the tubes which was determined to have been damaged in the explosion. Chubb Insurance will cover the cost of the repair and replacement of the tubes under the original claim. The city will pay AMI for the work at a cost of $151,833, and the insurance company will reimburse the city.

   MOTION: Move to approve Resolution No. R-15-150 for adoption.

   ACTION: KASTLER SECOND: MARTIN
   ALL AYE EXCEPT WILLIAMS WHO WAS ABSENT

10. Resolution No. R-15-151 – A Resolution to purchase engineered laminate mats for the Electric Utility.
    - Electric Utility Deputy Director Mike Shook stated two areas of the new generation project are unable to support construction activities such as equipment lay down and reassembly. It was determined laminate mats could be installed which would be more cost effective than using rock and additional aggregate. Ritter Forest Products will provide the mats at $28,488.75. Commissioner Taylor expressed concern over his company not supplying the mats. Taylor Crane had been contacted, however, they were not the low bidder.

    MOTION: Move to approve Resolution No. R-15-151 for adoption.

    ACTION: POWELL SECOND: MARTIN
    ALL AYE EXCEPT TAYLOR WHO VOTED NO AND WILLIAMS WHO WAS ABSENT

11. Resolution No. R-15-152 – A Resolution to purchase a 480 volt motor control center for the Electric Utility.
    - Electric Utility Deputy Director Mike Shook stated proposals were received from four vendors to supply the 480 volt motor control center for the new power plant. Gexpro was the low bidder at $115,463.75.

    MOTION: Move to approve Resolution No. R-15-152 for adoption.

    ACTION: KASTLER SECOND: MARTIN
    ALL AYE EXCEPT WILLIAMS WHO WAS ABSENT

12. Resolution No. R-15-153 – A Resolution to purchase an uninterruptible power supply system for the Electric Utility.
    - Electric Utility Deputy Director Mike Shook stated four proposals were received to supply the uninterruptible power supply system for the new power plant. The low bidder, Benning did not meet the evaluation criteria; therefore, it was recommended to enter into an agreement with Emerson at a cost of $127,375.07.

MOTION: Move to approve Resolution No. R-15-153 for adoption.

ACTION: POWELL SECOND: MARTIN
ALL AYE EXCEPT WILLIAMS WHO WAS ABSENT

13. Resolution No. R-15-154 – A Resolution to execute Change Order 1 with UCI for underground utility installation for the Electric Utility.
    - Electric Utility Deputy Director Mike Shook stated area and street lighting for the new generation project was inadvertently left out of the electrical installation bid package. This change order will approve the underground installation portion of the area and street lighting at a cost of $79,977.23.

MOTION: Move to approve Resolution No. R-15-154 for adoption.

ACTION: POWELL SECOND: MARTIN
ALL AYE EXCEPT WILLIAMS WHO WAS ABSENT

14. Resolution No. R-15-155 – A Resolution to execute Change Order 1 with UCI for site preparation for the Electric Utility.
    - Electric Utility Deputy Director Mike Shook stated a soft spot has been identified at the new generation site. Additional gravel and larger rip rap size rock will be used to help stabilize the area. The cost of this change order is $63,686.15.

MOTION: Move to approve Resolution No. R-15-155 for adoption.

ACTION: KASTLER SECOND: MARTIN
ALL AYE EXCEPT WILLIAMS WHO WAS ABSENT

15. City Manager Report
    - Kendal Francis reported the Safe Routes to School grant has been submitted. Neal Jacobs, Watco, informed him there will be a delay in getting the wood planks for the 4th Street rail crossing repair. In addition, due to the weather, milling of the crossings may be delayed until spring.

16. Comments from Commissioners and Staff
    - Commissioner Taylor stated before we purchase property for the new fire and police building we should figure out what we are going to spend on City Hall; he wants to see what it will cost and requested a report at the next meeting. Commissioner Powell asked for an update on sales tax projections.

J. EXECUTIVE SESSION(s)

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

ACTION: MARTIN SECOND: POWELL

ACTION: ALL AYE EXCEPT WILLIAMS WHO WAS ABSENT

Time the meeting was reconvened: 9:05 p.m.

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: MARTIN SECOND: POWELL

ACTION: ALL AYE EXCEPT WILLIAMS WHO WAS ABSENT

Time the meeting was adjourned: 9:05 p.m.

Date the minutes were approved: _____

_____
Cindy Price, City Clerk