COMMISSION MEETING MINUTES
TUESDAY, FEBRUARY 23, 2016
6:30 P.M.

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

Present:
COMMISSIONER MARCUS KASTLER
MAYOR CRAIG POWELL
COMMISSIONER JIM C. TAYLOR, JR.
COMMISSIONER CHRIS WILLIAMS

Absent:
COMMISSIONER JUSTIN MARTIN

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 DIRECTOR GENE RATZLAFF
ELECTRIC UTILITY DEPUTY DIRECTOR MIKE SHOOK
ENGINEERING SUPERINTENDENT THOMAS OBORN
PUBLIC WORKS DEPUTY DIRECTOR JIM BRADSHAW
POLICE CHIEF KWIN BROMLEY
FIRE CHIEF JAMES GRIMMETT
ASSISTANT TO CITY MANAGER TRISHA PURDON

A. CALL TO ORDER – Mayor Craig Powell

B. INVOCATION – Margie Miller, Crossroads Community of Christ

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. REVIEW OF AGENDA

E. CONSENT AGENDA

1. City Commission Meeting Minutes – Tuesday, January 22, 2016
2. 2016 Appropriation Ordinance No. AO-16-04 – $5,890,321.98

MOTION: Move to approve the consent agenda as presented.

ACTION: POWELL SECOND: WILLIAMS
ALL AYE

<u>REGULAR AGENDA ITEMS</u>

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

G. COMMENTS FROM THE PUBLIC

- Jim C. Taylor, Sr., passed out a letter to commissioners stating he believed there were inappropriate serial meetings regarding the Four State Maintenance tax exemption.

H. OLD BUSINESS

1. Ordinance No. S-16-02 – Second Reading of an Ordinance to approve the annual renewal of the ten-year tax abatement/incentive for Four State Maintenance.
   - Assistant to the City Manager Trisha Purdon stated staff has obtained additional information from Four State Maintenance and has verified they had 35 employees in 2015. Three of the employees are contract employees, however, they are eligible to be counted as regular employees. It was reiterated that since Four State is an interstate commerce business, their tax exemption eligibility should be looked at on sales and local purchases rather than employee numbers alone. Commissioner Taylor was concerned they had not met all their numbers and stated he would be in favor of a 75% tax abatement but could not vote for a 100% exemption.

   MOTION: Move to approve Ordinance No. S-16-02 for adoption.

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

I. NEW BUSINESS

1. Ordinance No. S-16-03 – First Reading of an Ordinance to issue General Obligation Bonds, Series 2016A, for the Municipal Facilities Project.
   - Finance Director Stephanie Richardson stated this ordinance will approve the issuance of general obligation bonds for the municipal facilities project and provide for the levy and collection of the tax for paying the debt service. These bonds will be paid from the 70% portion of the one-half cent capital improvement sales tax. The bond sale will be held on March 8 with the proceeds distributed on March 22.

   MOTION: Move to approve Ordinance No. S-16-03 for First Reading.

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

2. Action to approve a cereal malt beverage license for La Colonial International Foods at 114 West 9th Street.

   MOTION: Move to approve a cereal malt beverage license for La Colonial International Foods at 114 West 9th Street.

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

3. Discussion and action to appoint one person to the Planning Commission serving to January 1, 2019.
   Applicants: Steve Cornell, Scott Massman

   MOTION: Move to appoint Scott Massman to a three-year term on the Planning Commission serving to January 1, 2019.

   ACTION: KASTLER SECOND: POWELL

ALL AYE EXCEPT COMMISSIONER MARTIN WHO WAS ABSENT.

4. Discussion and action to appoint one person to the Recreation Commission serving to March 10, 2020.
   Applicant: Lisa Collins

   MOTION: Move to appoint Lisa Collins to a four-year term on the Recreation Commission serving to March 10, 2020.

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

5. Resolution No. R-16-32 – A Resolution to call a special question election for the purpose of imposing a special purpose one-half percent citywide retailers' sales tax for assisting the financing of health care and emergency services provided by CRMC (sales tax to commence upon the expiration of the 2002 Health Care Sales Tax).
   - Monte Coffman, CRMC Board of Directors, stated Coffeyville Regional Medical Center is requesting the opportunity to hold a special election on April 5 to allow the citizens to vote on a question of imposing a one-half cent sales tax to be used for health care. This will not be a new tax but an extension of the existing health care sales tax. The cost of the election will be paid by CRMC.

   MOTION: Move to approve Resolution No. R-16-32 for adoption.

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

6. Resolution No. R-16-33 – A Resolution to implement a January 1, 2016, through December 31, 2016, Personnel Manual/Memorandum of Agreement with International Association of Fire Fighters.
   - City Manager Kendal Francis stated the IAFF has given tentative agreement to the memorandum of agreement.

   MOTION: Move to adjourn.to Executive Session for the discussion of non-elected personnel to reconvene on or before 7:10 p.m.

   ACTION: TAYLOR SECOND: POWELL
   ALL AYE

Time the meeting was adjourned: 7:10 p.m.

MOTION: Move to approve Resolution No. R-16-33 for adoption.

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

7. Resolution No. R-16-34 – A Resolution to implement a January 1, 2016, through December 31, 2016, Personnel Manual/Memorandum of Agreement with International Brotherhood of Electrical Workers.

MOTION: Move to approve Resolution No. R-16-34 for adoption.

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

8. Resolution No. R-16-35 – A Resolution to execute an agreement with Republic Services for residential solid waste collection services.
   - City Clerk Cindy Price stated three bids were received for residential trash collection with Republic Services submitting the low bid at $9 for regular pickup; $8.75 for senior pickup and $5.96 for additional polycarts. Staff recommends contracting with Republic for residential trash service, moving the bulky trash day to Monday and keeping the customer trash rate the same at $13 for regular service; $12 for senior service and 47 for additional polycarts.

MOTION: Move to approve Resolution No. R-16-35 for adoption.

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

9. Resolution No. R-16-36 – A Resolution to execute an agreement with Waste Connections for city-owned facilities solid waste collection services.
   - City Clerk Cindy Price stated three bids were received for city-owned facility trash pickup at 32 locations. Waste Connections submitted the low bid at $1,594.86 per month.

MOTION: Move to approve Resolution No. R-16-36 for adoption.

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

10. Resolution No. R-16-37 – A Resolution to execute a quitclaim deed conveying 1112 West Tenth Street to Habitat for Humanity.
    - Assistant to the City Manager Trisha Purdon stated the house at 1112 W. 10th Street was donated by Wells Fargo along with a $7,500 grant to be used for any purpose related to the property. A portion of these funds were used to demolish the structure and pay the taxes. The property is now ready for infill development. Habitat for Humanity has agreed to take the property for their redevelopment along with the remaining balance of the grant, $1,143.04. Commissioner Williams suggested a deed restriction be added stating there needs to be a structure built on the property within a specific time period.

MOTION: Move to approve Resolution No. R-16-37 for adoption with the addition of a deed restriction added stating they must build within 12 months.

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

11. Resolution No. R-16-38 – A Resolution to execute a construction contract with Bryant & Bryant Construction for the 9th Street Road Project.

- Engineering Superintendent Thomas Osborn stated three bids were received for the 9th Street Road Project. Bryant & Bryant was the low bid at $755,407.50 for the milling and asphalt overlay of 9th Street from Camden to Hall including full depth concrete replacement of the Read Street intersection, installation of ADA handicap accessible ramps at all intersections and curb and gutter replacement.

MOTION: Move to approve Resolution No. R-16-38 for adoption.

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

12. Resolution No. R-16-39 – A Resolution to set a public hearing on a petition to vacate a portion of Pine Street.
    - Engineering Superintendent Thomas Osborn stated CVR Energy is requesting the vacation of Pine Street from the north right of way of First Street to the north right of way of New Street. The public hearing will be set for Tuesday, March 22, 2016, 6:30 p.m.

MOTION: Move to approve Resolution No. R-16-39 for adoption.

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

13. Resolution No. R-16-40 – A Resolution to execute a real estate sales contract with Cole Osborne for the sale of 606 W. 4th Street.
    - City Clerk Cindy Price stated an offer of $30,000 has been received on the house the City owns at 606 West Fourth Street.

MOTION: Move to approve Resolution No. R-16-40 for adoption.

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

14. City Manager Report
    - City Manager Kendal Francis stated there was a credit rating call on Monday with the rating for the municipal facility bonds determined by March 1. The city-owned property at 10th & Gillam is being used as a lay down yard for the 9th Street Road project; window bids for the municipal building were received and will be reviewed by the Kansas Historical Society.

15. Comments from Commissioners and Staff
    - Commissioner Kastler stated we need to change the process with how we deal with businesses on abatements as it is an embarrassment.

J. EXECUTIVE SESSION(s)

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Communication from Kansas State Historical Society
2. CRC report

L. ADJOURN

MOTION: Move to adjourn.

ACTION: POWELL SECOND: WILLIAMS
ALL AYE

Time the meeting was adjourned: 7:50 p.m.

Date the minutes were approved: _____

_____
Cindy Price, City Clerk