EGULAR COMMISSION MEETING MINUTES
TUESDAY, SEPTEMBER 11, 2012
6:30 P.M.

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

Present:

MAYOR DAVID GEORGE
COMMISSIONER DON EDWARDS
COMMISSIONER JIM FALKNER
COMMISSIONER PAM JONES
COMMISSIONER VIRGIL O. HORN, JR.

City Staff in attendance were:

INTERIM CITY MANAGER/CITY CLERK CINDY PRICE
FINANCE DIRECTOR STEPHANIE RICHARDSON
CITY ATTORNEY PAUL KRITZ
IT MANAGER CHRIS FELIX
DEPUTY PUBLIC WORKS DIRECTOR JIM BRADSHAW
FIRE CHIEF JAMES GRIMMETT
POLICE CHIEF TONY CELESTE
ELECTRIC UTILITY DIRECTOR GENE RATZLAFF
ARCHITECT/PLANNER DENNIS JACOBS
ENGINEERING SUPERINTENDENT SCOTT MASSMAN

A. CALL TO ORDER – Mayor David George

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, August 28, 2012
2. 2012 Appropriation Ordinance No. AO-12-16 – $798,413.61

MOTION: Move to approve the consent agenda as presented.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE.

<u>REGULAR AGENDA ITEMS</u>

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

1. Proclamation declaring September 14-15 as Celebrate Coffeyville Days
   - Mayor George read and presented a proclamation to Jo Lyn Falkner who then reported on the activities planned for Celebrate Coffeyville.

G. COMMENTS FROM THE PUBLIC - none

H. OLD BUSINESS

1. Ordinance No. S-12-08 – Second Reading of an Ordinance to vacate certain streets in Coffeyville.

   MOTION: Move to approve Ordinance No. S-12-08 for adoption.

   ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE

2. Ordinance No. S-12-09 – Second Reading of an Ordinance to annex city-owned property.

   MOTION: Move to approve Ordinance No. S-12-09 for adoption.

   ACTION: THE MOTION WAS MADE BY COMMISSIONER FALKNER AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE

I. NEW BUSINESS

1. Resolution No. R-12-84 – A Resolution to execute an agreement with Oschner, Hare & Hare for the codification of zoning ordinances.

   ■ Architect/Planner Dennis Jacobs addressed the Commission stating the current zoning ordinance was adopted in August 1974 and partially updated in 1995. The original document is essentially the same today and is used for every rezoning, conditional use, special exception and home occupation application presented to the Planning Commission. Current classifications for zoning do not reflect current land use or contemporary descriptions. As an example there are no classifications for wireless communication towers or RV parks and it still has categories such as adding machine manufacturer and photostating establishment. A proposal was requested and received from Ochsner, Hare & Hare for $15,360 to update the ordinances. This is the same firm that did the comprehensive plan in 2010. They are very familiar with Coffeyville and already have detailed information. Commissioner Falkner suggested Jacobs and Attorney Kritz do the codification.

   MOTION: Move to approve Resolution No. R-12-84 for adoption.

   ACTION: THE MOTION WAS MADE BY COMMISSIONER HORN AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE

2. Resolution No. R-12-85 – A Resolution to execute an agreement with the Kansas Department of Transportation for Project No. 63 U-2297-01 (Cline Road).

   ■ Engineering Superintendent Scott Massman addressed the Commission stating Coffeyville was awarded a FY 2012 Non-National Highway System Street Project for Cline Road between 8th Street and Woodland. This project will consist of full depth replacement of the existing asphalt road with a new concrete surface between 4th and 1st. Other improvements include new concrete intersections at 8th Street and all intersections between 4th & Woodland. The street between 1st and Woodland will be milled and overlaid. This project is estimated to cost $1,653,000 with the City's share approximately $483,000. The project will be planned so it does not interfere with school.

MOTION: Move to approve Resolution No. R-12-85 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY MAYOR GEORGE. ROLL CALL VOTE – ALL AYE

3. Resolution No. R-12-86 – A Resolution to place a stop sign at First and Parkview.
   - Engineering Superintendent Scott Massman addressed the Commission stating First and Parkview is an unmarked intersection just north of Community Elementary. At an unmarked intersection, you grant right-of-way to the vehicle on the right; even at a T-intersection. This means someone traveling west on First street would be expected to yield to someone traveling south on Parkview. After review, it was determined a stop sign was in order.

   MOTION: Move to approve Resolution No. R-12-86 for adoption.

   ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE

4. Resolution No. R-12-87 – A Resolution to submit to the electors of Coffeyville a special question to continue a one-half percent sales tax.
   - Interim City Manager Cindy Price addressed the Commission stating the City of Coffeyville has a number of facilities in need of repair and updates including the First Department, Youth Activities Center, City Hall including the Police Department, Perkins Building and Public Library. During budget work sessions this summer, the extent of the repairs and updates required was discussed with Commissioners as well as the funding needed to complete the work. Commissioners determined at that time the best way to get the projects completed would be to issue general obligation bonds, and they wanted the proposal to be taken to the voters for approval. Preliminary estimates prepared by staff indicate the bond issue would total approximately $5M to complete the repair and updates to the five facilities. Potential revenue sources have been discussed with Commissioners including funding from electric revenues, sales tax and property tax. In June, 2014, a current one-half percent sales tax expires. 70% of the revenues of this sales tax are earmarked for capital improvements, 20% for capital equipment and 10% for economic development. Of the 70% portion for capital improvements, $470,000 is being used to pay for the Aquatic Center. Upon successful passage of a sales tax question, the funds currently being used for the Aquatic Center can be used to fund the needed repairs and updates to the five facilities. Commissioners approved the special election question to be placed on the November ballot.

   MOTION: Move to approve Resolution No. R-12-87 for adoption.

   ACTION: THE MOTION WAS MADE BY COMMISSIONER JONES AND SECONDED BY COMMISSIONER HORN. ROLL CALL VOTE – ALL AYE

5. Resolution No. R-12-88 – A Resolution to purchase property insurance coverage for the Power Plant.

J.

- Finance Director Stephanie Richardson addressed the Commission stating this is for property insurance coverage on the electric utility system and boiler and machinery insurance on the power plant and substations. Coverage is through Coffeyville Insurance Associates; the premium is $189,653 which is a 9.43% increase from last year. The coverage renewed September 1; however, the coverage was not received in time to get on the agenda at the last meeting. Insurance coverage is typically bid out every three years; this is the third year for this coverage. Commissioners expressed displeasure at not receiving the information in a timely manner.

MOTION: Move to approve Resolution No. R-12-88 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER HORN AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE

1. Resolution No. R-12-89 – A Resolution to purchase a bucket truck for the Internet Utility.
   - IT Director Chris Felix addressed the Commission stating the IT Department uses a bucket truck for installation and maintenance of the wireless equipment in the city limits and also or some installations for rural customers. They have been using a truck handed down to them from the Electric Department. It has developed maintenance issues and can no longer be certified. A search was done for a used bucket truck, and a 2006 Ford F450 bucket truck was located through Utility Fleet Sales out of Bryan, TX, at a cost of $34,970. Commissioners expressed concern this was not bid out and staff was not following the bid procurement policy.

MOTION: Move to approve Resolution No. R-12-89 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER HORN. ROLL CALL VOTE – ALL AYE EXCEPT FOR COMMISSIONER JONES WHO VOTED NO.

2. Resolution No. R-12-90 – A Resolution to execute a contract with U.S. Cellular for cell phone service.
   - IT Director Chris Felix addressed the Commission stating bids were sought for the City's cell phone service. The proposal is to go with U. S. Cellular for the City's 23 cell phones.

MOTION: Move to approve Resolution No. R-12-90 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER JONES AND SECONDED BY COMMISSIONER HORN. ROLL CALL VOTE – ALL AYE EXCEPT FOR COMMISSIONER EDWARDS WHO VOTED NO.

3. Comments from Commissioners and Staff
   - Commissioner Falkner stated he had a citizen state if City would provide lumber they would build a bus stop; this information will be given to the school district.

   - Commissioner Jones expressed her concern about the number of sidewalks in disrepair plus the problem with pigeon droppings on the downtown sidewalks stating we need to

enforce our ordinances. Staff will get the cost of repairing or replacing a standard sidewalk. Yvonne Hull, Chamber of Commerce, and Shelley Paasch, Downtown Coffeyville, will be asked to communicate with the downtown business owners about keeping their sidewalks clean

- Mayor George requested the new Code Enforcement Officer come to a future meeting. He provided an update on the Liberty Hotel Group which has an option on the 8th & Northeast property.
- Cindy Price provided an update on projects underway including crack sealing and street projects and gave a report on the storm damage from the recent wind storm. The water warning is still in effect.

K. EXECUTIVE SESSION(s)

1. Employer-employee negotiations

MOTION: Move to adjourn to Executive Session for discussion of employer/employer negotiations to reconvene on or before 8:50 p.m.

ACTION: THE MOTION WAS MADE BY MAYOR GEORGE AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE

Time the meeting was reconvened:

Mayor George stated there was no action as a result of the Executive Session.

2. Non-elected personnel

MOTION: Move to adjourn to Executive Session for discussion of non-elected personnel to reconvene on or before 9:55 p.m.

ACTION: THE MOTION WAS MADE BY COMMISSIONER HORN AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE

Mayor George was not present for the Executive Session.

Time the meeting was reconvened: 10:00 p.m.

Vice-Mayor Horn stated there was no action as a result of the Executive Session.

L. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales tax report

L. ADJOURN

MOTION: Move to adjourn.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER FALKNER. ROLL CALL VOTE – ALL AYE

Time the meeting was adjourned: 10:00 p.m.

Date the minutes were approved: _____

_____
Cindy Price, City Clerk