REGULAR COMMISSION MEETING MINUTES
TUESDAY, OCTOBER 23, 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 VIRGIL O. HORN, JR.
COMMISSIONER PAM JONES

Absent:
COMMISSIONER JIM FALKNER

City Staff in attendance were:
CITY MANAGER GARY BRADLEY
CITY CLERK CINDY PRICE
FINANCE DIRECTOR STEPHANIE RICHARDSON
CITY ATTORNEY PAUL KRITZ
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
FIRE CHIEF JAMES GRIMMETT
POLICE CHIEF TONY CELESTE
ELECTRIC UTILITY DIRECTOR GENE RATZLAFF
ENGINEERING SUPERINTENDENT SCOTT MASSMAN

A. CALL TO ORDER – Mayor David George

B. INVOCATION – Margie Miller, Crossroads Community of Christ

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. REVIEW OF AGENDA

E. CONSENT AGENDA ITEMS

1. Regular City Commission Meeting Minutes – Tuesday, October 9, 2012
2. 2012 Appropriation Ordinance No. AO-12-19 – $5,021,091.92

MOTION: Move to approve the consent agenda as presented.

ACTION: MOTION MADE BY JONES AND SECONDED BY GEORGE. ROLL CALL VOTE – ALL AYE EXCEPT FALKNER WHO WAS ABSENT.

<u>REGULAR AGENDA ITEMS</u>

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

1. Proclamation to declare Saturday, November 10, as Buddy Poppy Day
   - Mayor George read and presented the proclamation to LaVelma Wagner representing the VFW Auxiliary.

G. COMMENTS FROM THE PUBLIC

- Louie O'Connor, 1503 Columbus stated the City should not be in the real estate business; Hillcrest Golf Course should be leased to a company to operate; CRMC should have

been given a 15-year lease rather than a five-year lease; the City should have begun earlier to increase water rates; and asked where the City's legal publications may be found.

H. OLD BUSINESS

1. Discussion and action to appoint one individual to the CRMC Board of Trustees serving to January 1, 2017.

   Applicant: Debra Evensvold

   MOTION: Move to appoint Debra Evensvold to fill an unexpired term and a new four-year term on the CRMC Board of Trustees serving to January 1, 2017.

   ACTION: MOTION MADE BY JONES AND SECONDED BY HORN. ROLL CALL VOTE – ALL AYE EXCEPT FALKNER WHO WAS ABSENT.

2. Resolution No. R-12-98 – A Resolution to execute a tower/land lease agreement with Midwest Fertilizer.
   - City Manager Gary Bradley stated additional information was provided to Commissioners regarding a tower lease to install equipment to bring up one half of the remaining access points for the in-town portion of the City's wireless utility.

   No action taken due to Commissioners request for additional information.

I. NEW BUSINESS

1. Resolution No. R-12-99 – A Resolution to support the Senior Services of Southeast Kansas grant application to the Kansas Department of Transportation.
   - City Clerk Cindy Price stated Senior Services of Southeast Kansas provides public transportation to the elderly, disabled and general public of rural Southeast Kansas. Their primary funding source is the Federal Transit administration and Kansas Department of Transportation. To obtain the KDOT funding, a grant application is submitted on an annual basis. KDOT has moved the grant application deadline from January to November. Amy Shaw from Senior Services provided information on the service offered.

   MOTION: Move to approve Resolution No. R-12-99 for adoption.

   ACTION: MOTION MADE BY HORN AND SECONDED BY JONES. ROLL CALL VOTE – ALL AYE EXCEPT FALKNER WHO WAS ABSENT.

2. Resolution No. R-12-100 – A Resolution to execute an amendment to the engineering services agreement with TranSystems Corp. for the KDOT STP Project on Cline Road.
   - Public Works Director Chuck Shively stated an Engineering Services Agreement is in place with TranSystems for the Cline Road STP Project No. 63 U-2291-01. The proposed scope of this project has changed requiring additional work be completed by TranSystems. As a result, TranSystems requested, and staff felt it was reasonable, to increase the maximum fee from $145,000 to $16,.000.

MOTION: Move to approve Resolution No. R-12-100 for adoption.

ACTION: MOTION MADE BY GEORGE AND SECONDED BY EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT FALKNER WHO WAS ABSENT.

3. Resolution No. R-12-101 – A Resolution to approve a final change order with B & B Bridge Company for the KDOT KLINK Project on South Walnut.
   - Engineering Superintendent Scott Massman stated the KLINK project 169-63U-0027-01 on South Walnut is complete. The project totaled $565,794.80 which is $53,852.70 less than bid.

MOTION: Move to approve Resolution No. R-12-101 for adoption.

ACTION: MOTION MADE BY JONES AND SECONDED BY EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT FALKNER WHO WAS ABSENT.

4. Discussion with Montgomery County Action Council on the KHRC Moderate Income Housing Grant awarded to Montgomery County.
   - Montgomery County Action Council Assistant Director Trisha Palmer reviewed the grant awarded to Montgomery County by the Kansas Housing Resources Corporation to build 14 houses; 6 in Coffeyville, 6 in Independence and 2 in Cherryvale. The cost to the City will be approximately $30,000 which will be in the form of a loan; the City will be paid back by the taxes the property owner will pay.

5. Comments from Commissioners and Staff
   - Finance Director Stephanie Richardson reported the City's final mill levy came in at 37.733 a slight decrease from 37.8 mills as estimated during budget sessions.
   - Public Works Director Chuck Shively stated the railroad has repaired the 8th Street tracks and will begin working on the tracks on South Walnut. This will close the highway from October 29 – November 2.
   - Commissioner Horn reported there will be a Neighborhood Watch informational program on Thursday, November 15, 6:30 p.m. He also reported the department has begun a chaplain program.

J. EXECUTIVE SESSION(s)

1. Attorney-client privilege

MOTION: Move to adjourn to executive session for discussion of items that would be deemed privileged in attorney-client relationship to reconvene on or before 7:55 p.m.

ACTION: MOTION MADE BY GEORGE AND SECONDED BY HORN. ROLL CALL VOTE – ALL AYE EXCEPT FALKNER WHO WAS ABSENT.

COMMISSIONER FALKNER PARTICIPATED IN THE EXECUTIVE SESSION VIA COMPUTER.

Date the minutes were reconvened: 8:00 p.m.

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

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Police Department Report
2. Hillcrest Golf Course Report
3. 2013 Final Mill Levy

L. ADJOURN

MOTION: Move to adjourn.

ACTION: MOTION MADE BY HORN AND SECONDED BY JONES. ROLL CALL VOTE – ALL AYE EXCEPT FALKNER WHO WAS ABSENT.

Time the meeting was adjourned: 8:00 p.m.

Date the minutes were approved: _____

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Cindy Price, City Clerk