REGULAR COMMISSION MEETING MINUTES
TUESDAY, MARCH 26, 2013
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 VIRGIL O. HORN, JR.
COMMISSIONER PAM JONES

City Staff in attendance were:
CITY MANAGER GARY BRADLEY
CITY CLERK CINDY PRICE
FINANCE DIRECTOR STEPHANIE RICHARDSON
CITY ATTORNEY PAUL KRITZ
IT DIRECTOR CHRIS FELIX
FIRE CHIEF JAMES GRIMMETT
POLICE CHIEF TONY CELESTE
ELECTRIC UTILITY DIRECTOR GENE RATZLAFF
ELECTRIC UTILITY DEPUTY DIRECTOR MIKE SHOOK
TREASURER ANGIE NADEN
HR DIRECTOR MARILYNN EVENSON

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, March 12, 2013
2. 2013 Appropriation Ordinance No. AO-13-05 – $4,131,596.54

MOTION: Move to approve the consent agenda as presented.

ACTION: MOTION: FALKNER SECOND: JONES
ROLL CALL VOTE – ALL AYE

<u>REGULAR AGENDA ITEMS</u>

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

1. Proclamation declaring April 9 as Mayor's Day of Recognition for National Service
   - Mayor George read and presented a proclamation to Kathy Shepard representing Four County RSVP program.

2. Report on City's health insurance plan
   - Human Resource Director Marilynn Evenson gave an update on the City's health insurance plan as it is affected by the new health care mandates.

3. Police Department Presentation
   - Police Chief Tony Celeste presented Master Patrolman Steve Gilfillan with the Medal of Valor for his rescue of an individual from a house fire.

4. Presentation by City Manager Gary Bradley and Coffeyville Area Chamber of Commerce Executive Director Yvonne Hull.
   - City Manager Gary Bradley and Chamber of Commerce Executive Director Yvonne Hull provided information on a Swap Meet being planned for the first Saturday in June and requested use of the downtown parking lot south of 9th Street.

MOTION: Move to approve use of the large downtown parking lot south of Ninth Street for June 1 activity.

ACTION: MOTION: GEORGE SECOND: EDWARDS
ROLL CALL VOTE – ALL AYE

G. COMMENTS FROM THE PUBLIC

- Mary Wilson, 207 West New, spoke against approval of a cereal malt beverage license for Windsor Place concert.
- Gay Cornell, 1503 Cortez, Chairman of the Relay For Life event, spoke in favor of the cereal malt beverage license for Windsor Place concert.

H. OLD BUSINESS

1. Resolution No. R-13-10 – A Resolution to approve a Cereal Malt Beverage license and the sale of cereal malt beverages at Veterans Memorial Stadium for the Windsor Place Relay For Life team.

MOTION: Move to rescind the action taken at the February 26, 2013, meeting and approve Resolution No. R-13-10 for adoption.

ACTION: MOTION: EDWARDS SECOND: FALKNER
ROLL CALL VOTE – AYE: Edwards, George, Falkner; NO: Horn, Jones. Motion passes.

2. Ordinance No. G-13-01 – Second Reading of an Ordinance to amend Chapter 16 weed nuisances.

MOTION: Move to approve Ordinance No. G-13-01 for adoption.

ACTION: MOTION: JONES SECOND: GEORGE
ROLL CALL VOTE – ALL AYE

I. NEW BUSINESS

1. Resolution No. R-13-25 – A Resolution to execute a contract for purchase of property located at 1006 West Fifth Street.
   - City Treasurer Angie Naden stated the City applied for new construction Neighborhood Stabilization Program funds in August, 2012, and was notified of an award to construct two new single family residences. All expenses the City will incur as a result of participation in the program is 100% reimbursable. A lot suitable

for redevelopment was located at 1006 West Fifth Street; the owner has agreed to an offer of $7,500 to purchase the lot.

MOTION: Move to approve Resolution No. R-13-25 for adoption.

ACTION: MOTION: GEORGE SECOND: JONES
ROLL CALL VOTE – ALL AYE

2. Resolution No. R-13-26 – A Resolution to approve an amendment to the deferred compensation plan.
   - HR Director Marilynn Evenson stated the Pension Protection Act of 2006 permits use of $3,000 of otherwise federally taxable retirement plan benefits to pay for qualified health insurance premiums. In September, 2012, the Kansas Deferred Compensation Plan was amended to allow local units of government to elect to offer the plan provision for eligible public safety officers. The City's retired police officers and firefighters are eligible.

MOTION: Move to approve Resolution No. R-13-26 for adoption.

ACTION: MOTION: GEORGE SECOND: HORN
ROLL CALL VOTE – ALL AYE

3. Resolution No. R-13-27 – A Resolution to purchase a truck for the Electric Utility.
   - Electric Utility Deputy Director Mike Shook stated bids were requested for a current model year, ¾-ton, extended cab 4x4 truck to replace a 2001 Chevrolet Tahoe. Staff recommended the purchase of a 2013 Ford F250 from Quality Motors. Commissioner Falkner questioned how many vehicles the Electric Utility has and if there was another vehicle which could be used. Shook noted the vehicle is in heavy use every day, and it will be utilized by the IT Department once a replacement vehicle is purchased.

MOTION: Move to approve Resolution No. R-13-27 for adoption.

ACTION: MOTION: GEORGE SECOND: JONES
ROLL CALL VOTE – ALL AYE

4. Resolution No. R-13-28 – A Resolution to purchase a bucket truck for the Electric Utility.
   - Electric Utility Director Gene Ratzlaff stated bids were requested for a 56-foot aerial bucket truck to replace two units currently in service. Following review, staff recommended the purchase of a 2013 56' aerial bucket truck from Altec.

MOTION: Move to approve Resolution No. R-13-28 for adoption.

ACTION: MOTION: HORN SECOND: JONES
ROLL CALL VOTE – ALL AYE

5. Resolution No. R-13-29 – A Resolution to execute an engineering services agreement with Schreiner Valuation Resources for an electric system appraisal and valuation.

- Electric Utility Director Gene Ratzlaff stated the Electric Utility was notified in January an appraisal of all property, structures and equipment is being required by the insurer, Chubb Group. Quotes were solicited, and staff recommended Schreiner Valuation Resources as they are licensed to perform both equipment and property appraisals.

MOTION: Move to approve Resolution No. R-13-29 for adoption.

ACTION: MOTION: JONES SECOND: EDWARDS
ROLL CALL VOTE – ALL AYE

6. Resolution No. R-13-30 – A Resolution to allocate the FY 2013 local alcoholic liquor funds.
   - Finance Director Stephanie Richardson stated the State of Kansas imposes a 10% tax on the gross receipts from the sale of alcoholic liquor by any club, caterer, drinking establishment or temporary permit holder. The funds are remitted to the State of Kansas; each city with a population of more than 6,000 receives 70% of the amount collected as local alcohol liquor funds. These are to be used one-third for the general fund; one-third for a special parks and recreation fund and one-third to a special alcohol and drug program fund. The portion for the alcohol and drug program has been distributed to Four County, ADSAP, Big Brothers Big Sisters and the Coffeyville Police Department for the DARE program. ADSAP is no longer in business; the other three submitted requests for funding. Police Chief Tony Celeste spoke on behalf of the DARE program; Steve Denny spoke on the use of the funds by Four County and Sarah Bromley spoke about the Big Brothers Big Sisters program. Funds will be distributed 30% to Four County; 30% to Big Brothers Big Sisters and 40% to DARE.

MOTION: Move to approve Resolution No. R-13-30 for adoption.

ACTION: MOTION: FALKNER SECOND: JONES
ROLL CALL VOTE – ALL AYE

7. Resolution No. R-13-31 – A Resolution to purchase network storage.
   - IT Director Chris Felix stated the City's current network storage array is near capacity with only 15% remaining. In addition, the Police and Engineering Departments have needs for additional storage capacity. Staff recommended the additional storage, which also includes storage capacity for the City's backup, be purchased from Peak Uptime.

MOTION: Move to approve Resolution No. R-13-31 for adoption.

ACTION: MOTION: EDWARDS SECOND: JONES
ROLL CALL VOTE – ALL AYE

8. Resolution No. R-13-32 – A Resolution to amend the City of Coffeyville's meal reimbursement policy.
   - City Manager Gary Bradley stated the City's current meal reimbursement policy for employees is convoluted, open for interpretation and cumbersome to administer. He

recommended establishing a per diem policy of $7 for breakfast, $10 for lunch and $15 for dinner with an effective date of January 1, 2013.

MOTION: Move to approve Resolution No. R-13-32 for adoption.

ACTION: MOTION: EDWARDS SECOND: HORN
ROLL CALL VOTE – ALL AYE

9. Resolution No. R-13-33 – A Resolution to adopt Robert's Rules of Order.
   - City Manager Gary Bradley stated the City has not formally adopted rules of order governing the conduct of meetings. At Commission request he is proposing Robert's Rules of Order be adopted. Following discussion, it was agreed the City need not adopt any rules at this time.

MOTION: Move to approve Resolution No. R-13-33 for adoption.

ACTION: MOTION: EDWARDS SECOND: HORN
FOLLOWING DISCUSSION, EDWARDS WITHDREW HIS MOTION; THERE WILL BE NO ACTION TAKEN ON THIS ITEM.

10. Consideration of payment to Retail Attractions.
    - City Manager Gary Bradley stated the City entered into a 12-month agreement with Retail Attractions in April, 2012, for retail recruitment. As the City was not satisfied with progress made, Commissioners previously agreed to provide the 60-day notice to terminate the agreement. The motion was amended to allow the City Manager to meet with Retail Attractions before terminating the agreement. Subsequently, Retail Attractions struggled to meet with the City Manager in a timely manner, and the 60-day notice to terminate was no longer effective. The Commissioners have not approved the payment of funds to Retail Attractions. As the scope of work in the agreement is vague, it would be difficult to prove Retail Attractions did not meet their obligations. Additionally, if the City does not pay per the agreement, it may end up costing the City more in the long run to fight it.

MOTION: Move to submit payment to Retail Attractions and allow the contract to terminate.

ACTION: MOTION: FALKNER SECOND: EDWARDS
ROLL CALL VOTE – ALL AYE

11. Resolution No. R-13-34 – A Resolution to implement a personnel manual/memorandum of agreement with Fraternal Order of Police, International Association of Fire Fighters, International Brotherhood of Electrical Workers and International Union of Operating Engineers and wage increases effective May 1, 2013, through December 31, 2015.
    - City Manager Gary Bradley stated the City has traditionally completed similar agreements in December for implementation. However, in accordance with previous discussions with the Commission, staff first conducted a compensation study to determine the market and evaluated the budget to identify the amount of revenue that might be available for compensation with the goal being to ensure the compensation is consistent with the labor market for comparable positions. The wage survey

compared the Electric Department with other cities which had municipal electric utilities and the Fire Department with cities which had hazardous material regional response teams. The bargaining units are comfortable with the increases.

MOTION: Move to table.

ACTION: MOTION: GEORGE SECOND: JONES
ROLL CALL VOTE – ALL AYE

12. Comments from Commissioners and Staff
    - Bradley stated residents should continue to return the surveys; the complete results will be presented at the end of April.
    - Commissioner Horn stated this was his final meeting, and it has been an honor for him to serve the community.

J. EXECUTIVE SESSION(s)

1. Non-elected personnel

MOTION: Move to adjourn to Executive Session for discussion of non-elected personnel to reconvene on or before 9 p.m. including a ten-minute break.

ACTION: MOTION: GEORGE SECON: FALKNER.
ROLL CALL VOTE – ALL AYE.

Time the meeting was reconvened: 9:00 p.m.

MOTION: Move to raise the annual salary of City Manager Gary Bradley $5,000 effective immediately based on good reviews.

ACTION: MOTION WAS MADE BY GEORGE AND SECONDED BY JONES AND SUBSEQUENTLY ASSIGNED RESOLUTION R-13-35. ROLL CALL VOTE – ALL AYE.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. February Building Permit Report
2. Library Minutes

L. ADJOURN

MOTION: Move to adjourn.

ACTION: MOTION MADE BY GEORGE AND SECONDED BY JONES. ROLL CALL VOTE – ALL AYE.

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

Date the minutes were approved: _____

_____
Cindy Price, City Clerk