REGULAR COMMISSION MEETING MINUTES
TUESDAY, MAY 14, 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 MARCUS KASTLER
COMMISSIONER CHRIS WILLIAMS

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
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
FIRE CHIEF JAMES GRIMMETT
CODE ENFORCEMENT OFFICER TAMMY DIXON
ENGINEERING SUPERINTENDENT SCOTT MASSMAN

A. CALL TO ORDER – Mayor David George

B. INVOCATION – Rev. John Collins, First Methodist Church

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. REVIEW OF AGENDA

E. CONSENT AGENDA ITEMS

1. Regular City Commission Meeting Minutes – Tuesday, April 23, 2013

2. 2013 Appropriation Ordinance No. AO-13-08 – $774,551.68
   MOTION: Move to approve the consent agenda as presented.

   ACTION: MOTION: FALKNER SECOND: EDWARDS
   ALL AYE

<u>REGULAR AGENDA ITEMS</u>

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

1. Proclamation declaring May 25, 2013, as Poppy Day
   - Mayor George read and presented proclamation to Laura VanTieghen representing the American Legion Auxiliary.

2. Presentation of plaque to Virgil O. Horn, Jr.
   - Mayor George presented plaque to former Commissioner Virgil O. Horn, Jr.

3. Presentation by Downtown Coffeyville, Inc.
   - Shelley Paasch, Executive Director, gave the annual DCI report.

G. COMMENTS FROM THE PUBLIC

The public is free to comment on items not listed on the agenda. Public participation is welcome and encouraged for all items on the agenda as the topics are discussed.

- Mary Wilson, 207 W. New, gave an update on the Farmers' Market.

H. OLD BUSINESS

1. Ordinance No. S-13-04 – Second Reading of an Ordinance to authorize the levy of a one-half cent sales tax.

   MOTION: Move to approve Ordinance No. S-13-04 for adoption.

   ACTION: MOTION: EDWARDS SECOND: FALKNER
   ALL AYE

I. NEW BUSINESS

1. Discussion and action to appoint two people to new three-year terms on the Senior Citizens Activity Center Board to June 1, 2016.
   Applicants: Donald Bilby and Hugh Kimmons
   - City Clerk Cindy Price stated both applicants are completing their third three-year term on the Senior Citizens Activity Center Board. The Commission can suspend the rules and re-appoint the applicants to a new term.

   MOTION: Move to suspend the rules and appoint Donald Bilby and Hugh Kimmons to new three-year terms on the Senior Citizens Activity Center Board serving to June 1, 2016.

   ACTION: MOTION: WILLIAMS SECOND: EDWARDS
   ALL AYE

2. Discussion and action to appoint one person to an unexpired term on the Planning Commission serving to January 1, 2015.
   Applicant: Nelson Christian

   MOTION: Move to appoint Nelson Christian to an unexpired term on the Planning Commission to January 1, 2015.

   ACTION: MOTION: GEORGE SECOND: KASTLER
   ALL AYE

3. Resolution No. R-13-42 – A Resolution to declare the City of Coffeyville eligible to submit a Safe Routes To School application.
   - Police Chief Tony Celeste stated the Police Department is seeking a grant through the Safe Routes to School Act to add and improve traffic safety engineering around Community Elementary. The grant has a 20% local match which is anticipated to be $5,000. The grant funds would be utilized to install flashing school zone signs by Community Elementary and on Eighth Street.

MOTION: Move to approve Resolution No. R-13-42 for adoption.

ACTION: MOTION: WILLIAMS SECOND: GEORGE
ALL AYE

4. Resolution No. R-13-43 – A Resolution to execute a permanent driveway easement to Chris and Kathryn Cornell.
   - Engineering Superintendent Scott Massman stated Chris Cornell owns property east of Veterans Memorial Stadium; the access is through the parking lot near Roosevelt Drive. Cornell is requesting a driveway easement be relocated through City owned property. Commissioners questioned offering the property for sale; an appraisal will be ordered to determine the cost, and a purchase agreement developed.

   MOTION: Move to table action on Resolution No. R-13-43.

   ACTION: MOTION: EDWARDS SECOND: GEORGE
   ALL AYE

5. Resolution No. R-13-44 – A Resolution to authorize change order No. 1 and final pay estimate to Bryant & Bryant Construction for the 2012 Intersection Improvement Project.
   - Engineering Superintendent Scott Massman addressed the Commission stating Bryant & Bryant has completed the 2012 Street Intersection Project and has submitted Change Order #1 in the amount of $7,312. The change order was due to the need to relocate some utilities.

   MOTION: Move to approve Resolution No. R-13-44 for adoption.

   ACTION: MOTION: GEORGE SECOND: FALKNER
   ALL AYE

6. Ordinance No. G-13-02 – First Reading of an Ordinance to establish a sidewalk dining license.
   - City Attorney Paul Kritz reviewed a proposed sidewalk dining license ordinance which is patterned after Lawrence. Peter Berrick, owner of the Tavern, stated he believed the ordinance was too restrictive particularly referring to the required width of the sidewalk needed for pedestrian traffic and the fencing requirement. He stated he monitors his business to meet all requirements of the Alcohol Beverage Control so as not to jeopardize his license. Commissioner Edwards recommended the ordinance be written without the fencing requirements; if it doesn't work, it can be put back in. Commissioner Falkner wants to keep the site plan requirement in the application.

   MOTION: Move to approve Ordinance No. G-13-02 for First Reading deleting the fencing requirements and changing the six-foot walkway requirement to four feet.

   ACTION: MOTION: EDWARDS SECOND: KASTLER
   ALL AYE

7. Resolution No. R-13-45 – A Resolution to approve agreements with B. G. & Sons and Virgil Parker for lot mowing for the 2013 growing season.

- Code Enforcement Officer Tammy Dixon stated bids were requested for the mowing of City owned lots and weed lots. Virgil Parker was the only bidder on the City lots at $10 per 50' x 140' lot. There were three bidders on the weed lots at $14 per 50' x 140' lot; the equipment on one of the bidders did not pass the mower inspection. Staff recommended awarding contracts to Virgil Parker for both the City-owned lots and weed lot mowing and B. G. & Sons for the weed lots.

MOTION: Move to approve Resolution No. R-13-45 for adoption.

ACTION: MOTION: GEORGE SECOND: EDWARDS
ALL AYE

8. Discussion on purchasing policy.
   - Finance Director Stephanie Richardson stated Staff has revised the purchasing policy to make it clearer and more user friendly and to be a more comprehensive document by including change orders, sole source purchases and disposal of City assets.

9. Comments from Commissioners and Staff
   - City Manager Gary Bradley reported he has a meeting with the architects on the building projects on May 15, and he is working with the Montgomery County Action Council on two economic development projects.
   - Commissioner Williams expressed the need to notify customers when water is going to be turned off for a planned repair.
   - Commissioner Falkner stated we need to be more pro-active in notifying citizens who are leaving grass in the streets after mowing, and the gates at Elmwood Cemetery will now be locked at night.

J. EXECUTIVE SESSION(s)

MOTION: Move to adjourn to Executive Session for discussion of non-elected personnel to reconvene on or before 8:20 p.m.

ACTION: MOTION: FALKNER SECOND: EDWARDS
ALL AYE

Time the meeting was adjourned: 8:20 p.m.

No action was taken as a result of the Executive Session.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales tax Report
2. Police Department Report
3. March and April Building Permit Reports

L. ADJOURN

MOTION: Move to adjourn.

ACTION: MOTION: GEORGE SECOND: EDWARDS
ALL AYE

Time the meeting was adjourned: 8:20 p.m.

Date the minutes were approved: _____

_____
Cindy Price, City Clerk