

REGULAR COMMISSION MEETING MINUTES
TUESDAY, OCTOBER 14, 2014
6:30 P.M.

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

Present:

MAYOR JIM FALKNER
COMMISSIONER DON EDWARDS
COMMISSIONER MARCUS KASTLER
COMMISSIONER JUSTIN MARTIN
COMMISSIONER CHRIS WILLIAMS

City Staff in attendance were:

INTERIM CITY MANAGER JAMES GRIMMETT
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR STEPHANIE RICHARDSON
POLICE CHIEF TONY CELESTE
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
PUBLIC WORKS DEPUTY DIRECTOR JIM BRADSHAW
ELECTRIC UTILITY DIRECTOR GENE RATZLAFF
HUMAN RESOURCES OFFICER MARILYNN EVENSON
ASSISTANT TO THE CITY MANAGER TRISHA PURDON

- A. CALL TO ORDER** – Mayor Jim Falkner
- B. INVOCATION** – Pastor Melvin Simpson, First Church of God in Christ
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. REVIEW OF AGENDA**
- E. CONSENT AGENDA ITEMS**
1. Regular City Commission Meeting Minutes – Tuesday, September 23, 2014
 2. 2014 Appropriation Ordinance No. AO-14-18 – \$1,675,855.27
- MOTION: Move to approve the consent agenda as presented.
- ACTION: MOTION: FALKNER SECOND: WILLIAMS
ALL AYE

REGULAR AGENDA ITEMS

- F. PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).**
1. Public Hearing – Community Development Block Grant 9th Street Project Application
 - Deputy Public Works Director Jim Bradshaw stated the city will submit a community development block grant application in the amount of \$800,000 which will include \$400,000 of city street funds and \$400,000 of grant funds. The application will be for a street project on 9th Street from Camden to Hall. Susan Galemore from Southeast Kansas Regional Planning who will administer the grant stated the grant application also requires adoption of a resolution dedicating matching funds, a resolution agreeing to maintain the street once completed and a resolution to approve an agreement for administrative consulting services.

- Mayor Falkner opened the hearing for public comments; there were no public comments.
- Mayor Falkner closed the public comments.

2. Resolution No. R-14-70 – A Resolution to certify legal authority to apply for the 2015 Kansas Small Cities CDBG Program.

MOTION: Move to approve Resolution No. R-14-70 for adoption.

ACTION: MOTION: FALKNER SECOND: MARTIN
ALL AYE

3. Resolution No. R-14-71 – A Resolution to assure the Kansas Department of Commerce funds will be continually provided for the operation and maintenance of improvements financed by the CDBG.

MOTION: Move to approve Resolution No. R-14-71 for adoption.

ACTION: MOTION: FALKNER SECOND: MARTIN
ALL AYE

4. Resolution No. R-14-72 – A Resolution to execute an agreement with the Southeast Kansas Regional Planning Commission for administrative consulting services.

MOTION: Move to approve Resolution No. R-14-72 for adoption.

ACTION: MOTION: FALKNER SECOND: MARTIN
ALL AYE

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. Please be mindful of others who may also wish to speak and limit your time at the podium appropriately.

- Linda Frazier and Lisa Connor thanked the commission for the assistance the City provided during Dalton Defenders Days.

H. OLD BUSINESS

I. NEW BUSINESS

1. Resolution No. R-14-73 – A Resolution to accept the resignation of Gary Bradley as City Manager.

MOTION: Move to approve Resolution No. R-14-73 for adoption.

ACTION: MOTION: FALKNER SECOND: EDWARDS
ALL AYE

2. Resolution No. R-14-74 – A Resolution to appoint James Grimmett as Interim City Manager.

MOTION: Move to approve Resolution No. R-14-74 for adoption.

ACTION: MOTION: EDWARDS SECOND: KASTLER
ALL AYE

3. Resolution No. R-14-75 – A Resolution to execute a contract with the League of Kansas Municipalities for search services for a city manager.
- Michael Koss from the League of Kansas Municipalities provided information on the search process for a new city manager. The process is expected to take four months; the cost is \$5,848.16 plus the cost of advertising.

MOTION: Move to approve Resolution No. R-14-75 for adoption.

ACTION: MOTION: EDWARDS SECOND: KASTLER
 ALL AYE

4. Ordinance No. S-14-06 – First Reading of an Ordinance to rezone property located at 504-508 N. Buckeye.
- Architect/Planner Dennis Jacobs stated a request has been received from Sid Haffener, HVH Holding, to rezone properties at 504 and 508 N. Buckeye from single family residential to mobile home court district. Haffener has purchased two residential properties which he is in the process of demolishing and will expand the mobile home court. The Planning Commission voted 6-0 to recommend approval of the rezoning application.

MOTION: Move to approve Ordinance No. S-14-06 for First Reading.

ACTION: MOTION: EDWARDS SECOND: WILLIAMS
 ALL AYE

5. Resolution No. R-14-76 – A Resolution to sell the NSP house at 602 W. 4th Street to Donna M. Snider.
- City Clerk Cindy Price stated an offer has been received of \$70,000 on the neighborhood stabilization program house at 602 West 4th Street from Donna Snider. The NSP allows the city to discount the house, offer down payment assistance as well as 100% of the closing costs. The sale of the house would involve a mortgage for the sales price of the house (\$70,000) plus a soft (forgivable) lien in the amount of the assistance offered (\$71,000 assistance plus approximately \$3,000 closing costs). The lien would be forgiven after 15 years. If the buyer sells the house prior to living there for 15 years, they would be required to repay a prorated portion of the assistance received back to the NSP.

MOTION: Move to approve Resolution No. R-14-76 for adoption.

ACTION: MOTION: FALKNER SECOND: KASTLER
 ALL AYE

6. Municipal Facilities Renovation Advisory Panel appointments.
Applicants: Neal Barkley, Louie Hummel, Darrel Jagers, John Kidwell, Josh Mecom, Margie Miller, Doug Misch, Michael Mongan, Steve Moody, Alan Munson, Mike O'Connor, Terry Rittenhouse, Walt Songer, James C. Taylor, Jr., Rick Thompson, Charles Weed and Max Williams.
- Following comments by all applicants present the Commissioners appointed Neal Barkley, John Kidwell, Doug Misch, Mike Mongan, Steve Moody, Jim C. Taylor,

Jr., and Rick Thompson to the panel. Dennis Jacobs will be the staff coordinator and Cindy Price will provide staff support. The panel will provide their recommendation on or before the second commission meeting in January.

7. Resolution No. R-14-77 – A Resolution to execute Supplemental No. 1 to the Engineering Services Agreement with PEC for the 4th Street and Northeast Geometric Improvement Project.

- Deputy Public Works Director Jim Bradshaw stated the Kansas Department of Transportation Geometric Improvement Project at 4th and Northeast Street was funded with 90% KDOT funds and 10% City funds for the construction and construction engineering (inspection). The construction engineering agreement with PEC has an upper limit of compensation of \$84,253.76, based on an estimated number of construction days. PEC has requested an increase in the upper limit of compensation due to weather conditions. The City's share of this cost will be \$4,891.02.

MOTION: Move to approve Resolution No. R-14-77 for adoption.

ACTION: MOTION: FALKNER SECOND: EDWARDS
 ALL AYE

8. Discussion on Customer Service location at 8th & Buckeye.

- Architect/Planner Dennis Jacobs reviewed the existing building conditions at the 8th and Buckeye Customer Service Office in order to make it a permanent facility. Areas reviewed included roof replacement, driveway/parking area replacement, security improvements, permanent partitions, HVAC replacement, secure teller area, exterior renovations and ADA compliance. This report will be provided to the Municipal Facilities Renovation Advisory Panel for review.

MOTION: Move to keep the 8th & Buckeye location as a permanent Customer Service office.

ACTION: MOTION: WILLIAMS SECOND: MARTIN
 ALL AYE

MOTION: Move to do the security improvements, including lighting and cameras, at 8th & Buckeye immediately.

ACTION: MOTION: WILLIAMS SECOND: FALKNER
 ALL AYE

9. Discussion on aerator/fountain at LeClere Lake.

- Deputy Public Works Director Jim Bradshaw stated the aerator at LeClere Lake needs to be replaced; the cost is \$7,000. For an additional \$2,000 a fountain and lights can be added. Commissioners agreed to add the fountain and lights.

10. Comments from Commissioners and Staff

- City Manager James Grimmatt reported the East Coffeyville Redevelopment Plan draft has been received, and a meeting will be set up with CVR for review.

- Electric Utility Director Gene Ratzlaff requested a work session be set up with commissioners to go over the New Generation project and discuss the procurement of property, procurement of equipment, construction management services and funding. Commissioner Edwards stated he needs to be convinced the project needs to be placed in a new building. A work session will be held on October 28, 5 p.m., prior to the regular meeting.
- In response to a question from Commission Martin, Finance Director Stephanie Richardson provided information on electric rates for meters installed on garages and on the stormwater fee which applies to all property within the city connected to either water or sanitary sewer systems whether the meter is active or inactive.
- Finance Director Stephanie Richardson reported the final mill levy is 41.910.
- Commissioner Williams stated he believed the fiber to the home project should be halted until a permanent city manager is in place. Mayor Falkner stated it should be slowed down, however, a fiber project will be very important to economic development recruiting. Commissioner Williams moved to put the fiber to the home project on hold until a city manager is hired; Martin seconded. All aye except Kastler who voted no.
- Commissioner Edwards moved and Commissioner Williams seconded to take \$2.3 million from the CRNF tax dollars which have been held in reserve and place them in the economic development sales tax funds to pay back the funds spent for the Aquatic Center. All aye.
- Commissioner Edwards stated he believed a significant portion of the CRNF funds should be used as a war chest for economic development. There was a consensus to have Attorney Kritz draw up an outline for an advisory board to recommend how the dollars being placed in the economic development fund are to be spent.
- Architect/Planner Dennis Jacobs stated a change order had been received for the Youth Activities Center project requesting an additional 29 days.
- Commissioner Falkner stated a solution needs to be found for the coal dumped in the south part of the town and requested a meeting with the railroad.

J. EXECUTIVE SESSION(s)

MOTION: Move to recess to Executive Session for the discussion of confidential data relating to trade secrets or financial affairs of third parties and for non-elected personnel to reconvene on or before 9:30 p.m.

ACTION: MOTION: FALKNER SECOND: EDWARDS
ALL AYE

Time the meeting was reconvened: 9:30 p.m.

Mayor Falkner announced no action to be taken as a result of the executive session.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Report on street sweeper
2. Library minutes
3. CRC report

L. ADJOURN

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, OCTOBER 14, 2014**

MOTION: Move to adjourn.

ACTION: MOTION: FALKNER SECOND: EDWARDS
ALL AYE

Time the meeting was adjourned: 9:30 p.m.

Date the minutes were approved: _____

10/28/14
Cindy Price

Cindy Price, City Clerk