

REGULAR COMMISSION MEETING MINUTES
TUESDAY, JUNE 14, 2011
6:30 P.M.

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

Present:

MAYOR PAM JONES
COMMISSIONER DON EDWARDS
COMMISSIONER DAVID GEORGE
COMMISSIONER RICHARD GONZALES
COMMISSIONER VIRGIL O. HORN., JR.

City Staff in attendance were:

CITY MANAGER JEFF MORRIS
CITY CLERK CINDY PRICE
FINANCE DIRECTOR STEPHANIE RICHARDSON
CITY ATTORNEY PAUL KRITZ
DEPUTY PUBLIC WORKS DIRECTOR JIM BRADSHAW
IT MANAGER CHRIS FELIX
CODE ENFORCEMENT OFFICER JOHN HUFFERD
ELECTRIC MANAGER OF OPERATIONS MIKE SHOOK
ENGINEERING SUPERINTENDENT SCOTT MASSMAN

- A. CALL TO ORDER** – Mayor Pam Jones
- B. INVOCATION** – Rev. Virgil O. Horn, Jr., First Sardis Baptist Church
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. REVIEW OF AGENDA**
- E. CONSENT AGENDA ITEMS**
1. Regular City Commission Meeting Minutes – Tuesday, May 24, 2011
 2. 2011 Appropriation Ordinance No. AO-11-11 – \$1,425,924.24
- MOTION: Move to approve the consent agenda as presented.
- ACTION: THE MOTION WAS MADE BY COMMISSIONER GEORGE AND
SECONDDED BY COMMISSIONER HORN. ROLL CALL VOTE – ALL
AYE
- REGULAR AGENDA ITEMS**
- F. PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).**
- G. COMMENTS FROM THE PUBLIC**
- Mary Wilson, 207 W. New, addressed the Commission regarding an adequate location for the Farmers Market.

H. OLD BUSINESS

1. Ordinance No. S-11-06 – Second Reading of an Ordinance to adopt the Coffeyville Municipal Airport Height and Hazard Regulations.

MOTION: Move to approve Ordinance No. S-11-06 for adoption.

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

I. NEW BUSINESS

1. Discussion and action to appoint one person to a new term on the Planning Commission serving through January 1, 2015.

Applicant: Marcus Kastler

MOTION: Move to appoint Marcus Kastler to the Planning Commission serving through January 1, 2015.

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

2. Resolution No. R-11-59 – A Resolution to execute an agreement with G&G Dozer for the demolition of two properties.

- Code Enforcement Officer John Hufferd addressed the Commission stating three bids were received for demolition of two properties; G&G Dozer was the low bidder at \$4,412.50.

MOTION: Move to approve Resolution No. R-11-59 for adoption.

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

3. Resolution No. R-11-60 – A Resolution to execute an agreement with ACM Removal for asbestos removal for three properties.

- Code Enforcement Officer John Hufferd addressed the Commission stating one bid was received from ACM Removal for asbestos removal at three properties.

MOTION: Move to approve Resolution No. R-11-60 for adoption.

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

4. Resolution No. R-11-61 – A Resolution to execute the 3rd lease amendment with Sonoco.

- City Manager Jeff Morris addressed the Commission stating this amendment is for the lease of the 8th Street Walmart building which includes a one-year extension of the terms, an increase in rent and the landlord has the option to terminate the lease with a 90-day written notice.

MOTION: Move to approve Resolution No. R-11-61 for adoption.

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

5. Resolution No. R-11-62 – A Resolution to execute a Lease Agreement with George Realtors for access to property.

■ IT Manager Chris Felix addressed the Commission stating this agreement is for network access to fiber inside the George Realtors building. The City will utilize the fiber optics located there for the wireless expansion in town which requires an extension of our fiber network further west to be able to provide a direct connection for our access points. By using existing fiber located at George Realtors, it will be less expensive to run the wire from A Sub or City Hall. The facility will also be used as one of the base stations for the new wireless network. There will be an antenna mounted to the facility that will act as a central connection point for the antennas on the west end of town. In lieu of rent, the City will provide free internet access to the facility.

MOTION: Move to approve Resolution No. R-11-62 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER HORN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER GEORGE WHO ABSTAINED.

6. Discussion of KDOT geometric improvement and KLINK project submittals.

■ Engineering Superintendent Scott Massman reviewed with Commissioners the proposed 2013 KLINK project which is to install a nova chip overlay on Highway 166/169 from Walnut to 8th & Northeast. Funding for KLINK projects are 50/50 matching funds. Two projects are under consideration for the geometric improvement submittal. One being Highway 166 and Willow and the other Highway 166/169 and 4th Street. After considerable discussion it was determined the 4th Street project will be submitted with an 80/20 rather than 90/10 match. Commissioners also requested the City pursue putting a stop light at the Eighth & Northeast intersection.

7. Resolution No. R-11-63 – A Resolution to purchase a vehicle for the Electric Utility Department.

■ Manager of Electric Operations, Mike Shook, addressed the Commission stating the Electric Utility is seeking to purchase a vehicle for use by the Director and has located a suitable used vehicle listed by the Federal Surplus located in Topeka. The vehicle is a 2007 Ford Explorer with 65,000 miles at a price of \$14,500.

MOTION: Move to approve Resolution No. R-11-63 for adoption.

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

8. Discussion on franchise agreement with Atmos Energy.

■ City Manager, Jeff Morris, addressed the Commission stating the franchise agreement with Atmos Energy has expired. There are currently two decisions that need to be made. The current franchise fee is 3%; the City needs to determine what the fee will be moving forward. According to the League of Kansas Municipalities and Atmos Energy, most

cities either have or are raising the fee to 5%. The second decision has to do with the implementation of a volumetric rate. The gas industry has changed since the previous franchise agreement was executed. Consumers now have opportunities to purchase natural gas from other sellers and transport the gas to their facilities utilizing Amos transportation lines. Since Atmos is only the transmission provider and not the seller of gas to these entities, the City is not receiving franchise fee revenues on gas purchases made by these consumers; there are several large consumers within Coffeyville who now purchase their gas from entities other than Atmos. To level the playing field, cities are now including provisions in their franchise agreements whereby a franchise fee is once again collected for those consumers utilizing a "volumetric rate." This rate calculation assesses a franchise fee based upon average market prices for the previous 12 months. Staff recommends implementation of a volumetric rate in the new agreement.

9. Comments from Commissioners and Staff

- Jeff Morris reported the two new police vehicles have arrived; over 500 building permits have been issued so far this year with most being for roof repair. Cindy Price read a request from the organizers of the 100 mile garage sale asking the city to once again waive garage sale permits; Commissioners agreed. She also reported the website is on schedule to go live the end of the week. Chris Felix reported over the last several months the wireless link between City Hall and the stadium has begun experiencing speed problems due to trees. The best solution would be to run fiber to the stadium. There are currently two pair of unused fiber at the Water Treatment Plant which can be used. The Electric crews will be able to string the fiber, and a contractor will terminate the ends. The total cost of the project will be approximately \$6,900. Commissioners agreed to proceed with this project.

J. EXECUTIVE SESSION(s)

1. Attorney-Client privilege

MOTION: Move to adjourn to executive session for discussion of non-elected personnel to reconvene on or before 8:35 p.m.

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

Time the meeting was reconvened: 8:35 p.m.

Mayor Jones stated there would be no action taken as a result of the Executive Session.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales tax report
2. Property tax report

L. ADJOURN

MOTION: Move to adjourn.

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

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Time the meeting was adjourned: 8:45 p.m.

Date the minutes were approved: _____

06/28/11

Cindy Price

Cindy Price, City Clerk