

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, SEPTEMBER 13, 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

City Staff in attendance were:

CITY MANAGER JEFF MORRIS
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR STEPHANIE RICHARDSON
DEPUTY PUBLIC WORKS DIRECTOR JIM BRADSHAW
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
ELECTRIC UTILITY DIRECTOR GENE RATZLAFF
FIRE CHIEF JAMES GRIMMETT
IT MANAGER CHRIS FELIX

- A. CALL TO ORDER** – Mayor Pam Jones
- B. INVOCATION** – Pastor Budg Riekeman, First Southern 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, August 23, 2011
 2. 2011 Appropriation Ordinance No. AO-11-18 – \$1,314,395.71
- MOTION:** Move to approve the consent agenda as presented.
- ACTION:** THE MOTION WAS MADE BY MAYOR JONES AND SECONDED BY COMMISSIONER GEORGE. ROLL CALL VOTE – ALL AYE
- REGULAR AGENDA ITEMS**
- F. PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).**
1. Proclamation – DAR Constitution Week
 - Mayor Jones read and presented proclamation declaring September 17-23 as Constitution Week to Diane George.
 2. Discussion on KDOT Project No. 63 U-2297-01 (Cline Road)
 - KDOT representatives Eric Dietcher and Ron Seitz discussed the Cline Road project with Commissioners stating they do not know why KDOT failed to notify Coffeyville the funding for the \$1.3 million project was changed from that of an 80/20 STP program to utilizing the Federal Exchange Dollars (FED). Commissioners questioned the timeline stating the project was already approved, an agreement was signed by KDOT Secretary Deb Miller in December, 2010, and in March 2011 a field check was done on the project

by KDOT officials. The City has already spent \$145,000 in design and engineering costs for this project. A compromise was discussed which will lessen the scope of the project. The City requested a loan for the entire project with the payback coming from the City's share of the FED over the next ten years. Seitz will carry this request back to Topeka for discussion.

G. COMMENTS FROM THE PUBLIC

- Johnny Michael, Dearing; Larry Fischer, 505 Tyler; Billy Jones, Dearing; Keith Fouts, 108 N. Parkview; and Charles Weed, 207 New, made comments about the Parking in the Yard Ordinance.

H. OLD BUSINESS

1. Ordinance No. G-11-01 – Second Reading of an Ordinance to amend the Parking in the Yard Ordinance.

- City Attorney Paul Kritz reviewed the changes from the First Reading to include more definition of the front yard setback and the addition of exemptions for temporary situations. Commissioners expressed concern about the court costs based on feedback they are receiving from citizens.

MOTION: Move to table Ordinance No. G-11-01.

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

I. NEW BUSINESS

1. Discussion and action to appoint a member to the Housing Authority Board.
Applicant: Mike Thrasher

MOTION: Move to appoint Mike Thrasher to a four-year term on the Housing Authority serving to 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-11-83 – A Resolution to establish a policy for the installation of speed humps.

- Deputy Public Works Director Jim Bradshaw addressed the Commission a request has been received for speed bumps in the area of an apartment complex on East Third Street. Staff determined there needs to be a speed hump policy the City could follow for all requests. Bradshaw also explained the difference between speed bumps, humps and lumps. They all have the same height, however, the humps and lumps are wider therefore the incline is more gradual. The policy will include a request for the humps by property owners on both sides of the street, approval by the City Commission, payment of the humps by the requesting party, installation and installation by the City. The City would cease snow removal and street sweeping and the requesting party would be responsible for paying for any replacement humps. A fee may also be charged in the event a title search is needed to verify property owners.

MOTION: Move to approve Resolution No. R-11-83 for adoption.

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

3. Resolution No. R-11-84 – A Resolution to execute a contract with Crossland Heavy for improvements to the Shale Pit Lift Station.

■ Deputy Public Works Director Jim Bradshaw addressed the Commission stating bids were received from eight contractors for the Shale Pit Lift Station improvements. This station was installed and put into service in 1985 and for the past five years staff has budgeted funds for the project. In addition, the last quarterly report from KDHE stated the station needs to be replaced. Staff recommends awarding the bid to Crossland Heavy Construction in an amount not to exceed \$349,220.

MOTION: Move to approve Resolution No. R-11-84 for adoption.

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

4. Resolution No. R-11-85 – A Resolution to purchase two chippers for the Public Service Department.

■ Deputy Public Works Director Jim Bradshaw addressed the Commission stating this resolution will approve the purchase of two stainless steel chippers to be utilized on the one-ton flat bed dump trucks during the winter storms. The chippers will be purchased from Victor L. Phillips Co for an amount not to exceed \$9,300.

MOTION: Move to approve Resolution No. R-11-85 for adoption.

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

5. Resolution No. R-11-86 – A Resolution to amend the contract with Sherwin Williams for Sherwin Williams Park.

■ City Attorney Paul Kritz addressed the Commission stating this item and the next item amend existing leases related to Sherwin Williams Park to add the skate park currently under construction. This lease agreement is with Sherwin Williams Company, and the sub lease is with Coffeyville Recreation Commission.

MOTION: Move to approve Resolution No. R-11-86 for adoption.

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

6. Resolution No. R-11-87 – A Resolution to amend the contract with Coffeyville Recreation Commission for Sherwin Williams Park.

MOTION: Move to approve Resolution No. R-11-87 for adoption.

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

7. Resolution No. R-11-88 – A Resolution to establish fees for Coffeyville Connection WiFi.

■ IT Director Chris Felix addressed the Commission stating this resolution will establish rates for the Coffeyville Connection wireless utility inside the City limits. The basic tier will be \$10 per month with speeds up to 1 Mbps download; the standard tier will be \$25 per month with speeds up to 3 Mbps download; and the premium tier will be \$40 per month with speeds up to 5 Mbps download.

MOTION: Move to approve Resolution No. R-11-88 for adoption.

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

8. Resolution No. R-11-89 – A Resolution to issue a purchase order to MGT of America, Inc., for an electric rate study.

■ Electric Utility Director Gene Ratzlaff addressed the Commission stating the electric utility rate planning and forecasting model has not had a comprehensive review since 2002, and a study needs to be implemented to update and enhance as necessary the existing model. All existing rates need to be reviewed including energy tier rates, PCA and other charges related to the sale of electricity. The study will include the development of policy and related rate requirements associated with electric utility reserves. Staff recommends contracting with MGT of America for the study. They are familiar with our electric utility and accounting system. As part of the study they will provide proprietary financial forecast modeling software to assist the City to easily see the effect of the impact of various expense items, how to maintain a desired fund balance, keep forecasting up to date and monitor a reserve fund balance as well as other financial attributes. The cost of the study will be \$5,725 plus travel expenses, if any.

MOTION: Move to approve Resolution No. R-11-89 for adoption.

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

9. Ordinance No. G-11-02 – First Reading of an Ordinance to adopt by reference the 2011 Standard Traffic ordinance for Kansas Cities.

■ Attorney Paul Kritz addressed the Commission stating these ordinances will adopt the most recent version of the Standard Traffic Ordinance and the Uniform Public Offense Code as published by the League of Kansas Municipalities and incorporate changes to the laws as enacted by the Kansas legislature.

MOTION: Move to approve Ordinance No. G-11-02 for First Reading.

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

10. Ordinance No. G-11-03 – First Reading of an Ordinance to adopt by reference the 2011 Uniform Public Offense Code for Kansas Cities.

MOTION: Move to approve Ordinance No. G-11-03 for First Reading

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

11. Comments from Commissioners and Staff

- City Manager Jeff Morris reported the slurry seal project is currently underway at the Airport and crews are completing the crack sealing project.
- Commissioner Horn asked what could be done about the railroad blocking the crossings for extended periods of time at very inconvenient times. The City Manager has a meeting set with the railroad, and this will be included in the discussion.
- Mayor Jones reported she has had numerous calls about the estimated utility bills this summer. Finance Director Stephanie Richardson stated this is due to a temporary employee shortage resulting in the need to estimate many customers' meters.
- Commissioner Gonzales asked about the status of the Woodland West annexation; this project is underway.

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 9:20 p.m.

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

Time the meeting was reconvened: 9:20 p.m.

2. 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 9:50 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: 9:50 p.m.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales tax report
2. Police Department report
3. Hillcrest Golf Course report
4. Coffeyville Recreation Commission minutes

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, SEPTEMBER 13, 2011**

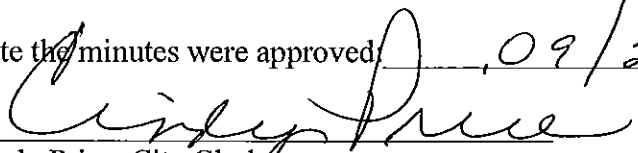
L. ADJOURN

MOTION: Move to adjourn.

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

Time the meeting was adjourned: 9:50 p.m.

Date the minutes were approved: 09/27/11


Cindy Price, City Clerk