

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, SEPTEMBER 27, 2011
6:30 P.M.**

The Board of Commissioners met in Regular Session at 6:30 p.m. with Vice Mayor David George presiding.

Present:

COMMISSIONER DON EDWARDS
COMMISSIONER DAVID GEORGE
COMMISSIONER RICHARD GONZALES

Absent:

MAYOR PAM JONES

City Staff in attendance were:

CITY MANAGER JEFF MORRIS
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR STEPHANIE RICHARDSON
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
ENGINEERING SUPERINTENDENT SCOTT MASSMAN
FIRE CHIEF JAMES GRIMMETT
CODE ENFORCEMENT OFFICER JOHN HUFFERD
IT MANAGER CHRIS FELIX

- A. CALL TO ORDER** – Vice Mayor David George
- B. INVOCATION** – Margie Miller, Crossroads Community of 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 13, 2011
 2. 2011 Appropriation Ordinance No. AO-11-19 – \$4,874,784.52
 3. Ordinance No. G-11-02 – Second Reading of an Ordinance to adopt by reference the 2011 Standard Traffic ordinance for Kansas Cities.
 4. Ordinance No. G-11-03 – Second Reading of an Ordinance to adopt by reference the 2011 Uniform Public Offense Code for Kansas Cities.
MOTION: Move to approve the consent agenda as presented.
- ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR JONES WHO WAS ABSENT.
- REGULAR AGENDA ITEMS**
- F. PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).**
1. Public Hearing – Vacation of a portion of New Street
 - Engineering Superintendent Scott Massman addressed the Commission stating Jeannie Walterscheid is requesting a portion of New Street be vacated in order to keep trespassers

off her property.

- Vice Mayor George opened the Public Hearing.
- There being no comments, Vice Mayor George closed the Public Hearing.

2. Ordinance No. S-11-10 – First Reading to vacate a portion of New Street.

MOTION: Move to approve Ordinance No. S-11-10 for First Reading.

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

G. COMMENTS FROM THE PUBLIC

- Mary Wilson, 207 W. New thanked the City for removing a garage and a tree in her neighborhood and mentioned the condition of the house at 810 West First Street may be a factor in the City not being able to sell a rehabbed home at 806 West First.
- Verna Sanders, 307 East Eighth Street, expressed concern about the City's dog ordinances and the Police Department stating her granddaughter was bit by a pit pull. The responding officer asked if the owner of the dog was black or white and wouldn't let her granddaughter make a complaint about the dog. She is also concerned the Animal Control Officer wasn't called out.
- Wayne Gudmonson, KDOT District 4 Engineer, informed City the Highway 169 System Enhancement Project is behind schedule; the State will begin assessing liquidated damages against the contractor; it appears project will be complete the end of December.
- Alec Hendryx, 201 North Ohio, suggested Commissioners review rental rates for area t-hangars and begin putting money toward hangar maintenance. He also expressed concern about children playing basketball in the streets.
- Neil Malone, 2406 Northfield, thanked City staff for completing the infrastructure work in the area of his new home.
- Margie Miller, 1403 Catalina, requested the City enforce the littering ordinance.

H. OLD BUSINESS

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

MOTION: Move to approve Ordinance No. G-11-01 for adoption.

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

I. NEW BUSINESS

1. Resolution No. R-11-90 – A Resolution to authorize the issuance of Electric Utility System Revenue Bonds.

- Garth Herrman, Gilmore Bell, and Pat Hinojos, Stifel Nicolaus, reviewed the process for issuing electric utility system revenue bonds to make improvements to the electric system to include reconstruction of the 138 kV electric lines and for related equipment.

MOTION: Move to approve Resolution No. R-11-90 for adoption.

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

2. Resolution No. R-11-91 – A Resolution to authorize payment of the costs of improvements to the City public water supply system.

MOTION: Move to approve Resolution No. R-11-90 for adoption.

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

- 2A. Declaration of a public emergency requiring passage of Ordinance No. S-11-11 – An Ordinance to levy special assessments on certain property to pay the costs of internal improvements in the City of Coffeyville.

MOTION: Move to declare a public emergency requiring the final passage of Ordinance No. S-11-11.

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

3. Resolution No. R-11-92 – A Resolution to authorize the offering for sale of general obligation bonds.

MOTION: Move to approve Resolution No. R-11-92 for adoption.

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

4. Ordinance No. S-11-12 – First Reading of an ordinance to issue general obligation bonds.
 - Garth Herrman, Gilmore Bell, and Pat Hinojos, Stifel Nicolaus, discussed the issuance of general obligation bonds to refinance the cost of electric, water, wastewater and street improvements made for the construction of infrastructure for the new Walmart facility and to refinance four Kansas Water Revolving Loans. This is a good time for the City to refinance as interest rates are at historic lows.

MOTION: Move to approve Ordinance No. S-11-12 for adoption.

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

5. Resolution No. R-11-93 – A Resolution to issue a purchase order to ACM Removal for

asbestos removal at two properties.

- Code Enforcement Officer John Hufferd addressed the Commission stating one bid was received for removal of asbestos at two properties and recommended the purchase order be issued to ACM Removal in an amount not to exceed \$6,360.

MOTION: Move to approve Resolution No. R-11-93 for adoption.

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

6. Resolution No. R-11-94 – A Resolution to establish t-hangar rental rates for the Coffeyville Municipal Airport.

- Finance Director Stephanie Richardson addressed the Commission stating as discussed in budget work sessions, a rate increase for the t-hangar rental at Coffeyville Municipal Airport is recommended. The rates would increase from \$75 to \$100 for one of the four corner hangars and \$70 to \$95 for the other 16 effective January 1, 2012.

MOTION: Move to approve Resolution No. R-11-94 for adoption.

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

7. Discussion of airport hangar rental agreements.

- Public Works Director Chuck Shively reviewed the current airport hangar rental agreements stating staff is aware some of the t-hangars are being utilized for storage and is requesting Commission input into whether they want to continue to lease for storage or to strictly enforce the lease agreement stating the hangars are to be used for storing airplanes and airplane related equipment. There are currently seven people who are interested in leasing a hangar for the purpose of storing an airplane. Suggestions were made to include in the lease planes needed to be operational and to require a deposit for new hangar rentals. Commissioners requested staff work on a lease agreement to present to Commission. Alec Hendryx stated City could require a copy of the plane's annual inspection to verify the plane is operational.

8. Resolution No. R-11-95 – A Resolution to execute a lease agreement with Community Health Center of Southeast Kansas.

- Jeff Morris, City Manager, addressed the Commission stating the Community Health Center (CHC) of Southeast Kansas is expanding to Coffeyville and interested in leasing the portion of the building at 602 Union formerly utilized by SRS. CHC has received a Federal grant and is looking at a five-year lease with two year rollovers. There are still details to work out regarding the improvements needed to the building, and the costs associated with the improvements.

MOTION: Move to approve Resolution No. R-11-95 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GEORGE AND

SECONDED BY COMMISSIONER HORN. ROLL CALL VOTE –
ALL AYE EXCEPT FOR MAYOR JONES WHO WAS ABSENT.

9. Comments from Commissioners and Staff

- Jeff Morris reported the Fire Department is currently testing hydrants, the new SCADA system has been installed at the Electric Department, work will begin on the 1328 kV transmission upgrade, and requests for proposals for the sale of the Carnegie Library are being taken.

J. EXECUTIVE SESSION(s)

1. Attorney-client privilege

MOTION: Move to adjourn to executive session for discussion of non-elected personnel to include Verna Sanders and to adjourn on or before 8:50 p.m.

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

Time the meeting was adjourned: 8:50 p.m.

MOTION: Move to adjourn to executive session for discussion items that would be deemed privileged in attorney-client discussion to include Chuck Shively and to reconvene on or before 9:20 p.m.

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

Time the meeting was adjourned: 9:10 p.m.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Property tax report
2. Drawing showing streets completed during the crack sealing project.
3. Building permit report
4. Planning Commission minutes

L. ADJOURN

MOTION: Move to adjourn.

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

Time the meeting was adjourned: 9:10 p.m.

Date the minutes were approved:

October 11, 2011

Cindy Price

Cindy Price, City Clerk