

REGULAR COMMISSION MEETING MINUTES
TUESDAY, DECEMBER 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
VIRGIL O. HORN, JR.

City Staff in attendance were:

CITY MANAGER JEFF MORRIS
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR STEPHANIE RICHARDSON
IT DIRECTOR CHRIS FELIX
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
PUBLIC WORKS DEPUTY DIRECTOR JIM BRADSHAW
ELECTRIC UTILITY DIRECTOR GENE RATZLAFF
ELECTRIC UTILITY DEPUTY DIRECTOR MIKE SHOOK
FIRE CHIEF JAMES GRIMMET
ENGINEERING SUPERINTENDENT SCOTT MASSMAN
HOUSING AUTHORITY DIRECTOR ROBERT YORK
WATER SUPERINTENDENT EARL MENEFEE
CODE ENFORCEMENT OFFICER JOHN HUFFERD

- A. **CALL TO ORDER** – Mayor Pam Jones
- B. **INVOCATION** – Pastor Mark Wilson, First Church of God
- C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. **REVIEW OF AGENDA**
- E. **CONSENT AGENDA ITEMS**
 - 1. Regular City Commission Meeting Minutes – Tuesday, November 22, 2011
 - 2. 2011 Appropriation Ordinance No. AO-11-24 – \$1,283,113.89

MOTION: Move to approve the consent agenda as presented.

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

REGULAR AGENDA ITEMS

- F. **PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).**
 - 1. Presentation and discussion of water/wastewater rates
 - Public Works Director Chuck Shively made a presentation on the Water and Wastewater Departments providing plant statistics, completed projects over the past few years,

mandates from the KDHE and EPA which have resulted in required upgrades to the plants and more stringent treatment requirements. As a result, the reserves at both plants have become depleted over the years requiring future rate increases.

G. COMMENTS FROM THE PUBLIC

- Mary Wilson, West New, expressed concern over the Refinery's expansion.
- Johnny Greenfield requested traffic signs be placed at Second and Washita and asked about replacing some of the City's traffic signals with stop signs or change the signals to blinking.
- Lisa Kuehn provided an update on Downtown Coffeyville's activities noting there have been four new businesses open recently in downtown Coffeyville representing 11 new jobs.

H. OLD BUSINESS

1. Ordinance No. S-11-13 – Second Reading of an Ordinance to issue Electric Utility System Revenue Bonds.

MOTION: Move to approve Ordinance No. S-11-13 for adoption.

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

I. NEW BUSINESS

1. Resolution No. R-11-110 – A Resolution to approve preferred vendors for 2012 chemicals for Water Treatment Plant.

- Public Works Director Chuck Shively addressed the Commission stating bids were requested for 2012 chemicals for the Water Treatment Plant. Staff is recommending designating the low bidder as the preferred vendor for each of the chemicals. The overall difference for the entire year is estimated to be an increase of \$1,680.50 or less than one-half of one percent. The designation as preferred vendor documents the intent to purchase the chemicals to be used at the Water Treatment Plant from the specified vendors unless the vendor loses its competitive advantage due to factors such as price, quality, availability or service.

MOTION: Move to approve Resolution No. R-11-110 for adoption.

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

2. Resolution No. R-11-111 - A Resolution to execute a site ground lease agreement.

- City Manager Jeff Morris addressed the Commission stating staff was contacted by Branch Towers regarding a site lease to accommodate the construction of a cell phone tower in Exner Park. The company is seeking to lease approximately a 75' x 75' area in the northeast section of the park. Final lease details are still pending, however, the term of the lease is five years at a rate of \$600 per month. The lease can be renewed for five successive five year terms with the monthly lease rate increasing 15% each renewal.

MOTION: Move to approve Resolution No. R-11-111 for adoption subject to finalizing the site selection and the lease agreement.

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

3. Resolution No. R-11-112 – A Resolution to approve an amendment to contract with B&B Bridge for the KLINK project on South Walnut.

- Engineering Superintendent Scott Massman addressed the Commission stating this amendment to the contract for the KLINK project on South Walnut is for the Nova Chip overlay. Since the area has been ground, exposed aggregate has created small holes that hold water; the goal of the work is to seal, preserve and provide a new wearing surface. Mike Atkinson, Engineer with Allgeier Martin and Associates spoke to Commissioners stating that Nova Chip is an ultrathin bonded asphalt which doesn't reduce the curb height as a normal asphalt overlay does. This project will be paid from the funding set aside for the 2013 KLINK project the City recently applied for; as KDOT did not award this project for funding.

MOTION: Move to approve Resolution No. R-11-112 for adoption.

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

4. Resolution No. R-11-113 – A Resolution to execute a contract for purchase of 606 West Fourth Street.

- Housing Authority Director Robert York addressed the Commission stating the Housing Authority is recommending the purchase of 606 West Fourth Street for the Housing Rehabilitation Grant. This will be the fourth purchase in the rehab program. The purchase price has been negotiated to \$11,000; the rehabilitation cost is expected to be approximately \$74,000 making the resale estimate \$85,000.

MOTION: Move to approve Resolution No. R-11-113 for adoption.

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

5. Resolution No. R-11-114 – A Resolution to approve renewal of contract for air compliance reporting.

- Electric Utility Deputy Director Mike Shook addressed the Commission stating the Power plant must perform certain monitoring, record keeping other compliance activities as required in the plant's Title V Operating Permit and other applicable air quality regulations. SEGA, Inc., has been providing assistance with this compliance program. The fee for 2012 is not to exceed \$12,000.

MOTION: Move to approve Resolution No. R-11-114 for adoption.

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

6. Discussion with Fred Wigley, owner of Big Chief RV Park.
 - Fred Wigley requested the City extend his payment for electric utility extension to his RV Park from 60 months, which he and Jeff Morris agreed upon, to 120 months for the purpose of improving his cash flow. After extensive discussion, Commissioners determined to leave the payback period as originally agreed upon.
7. Resolution No. R-11-115 – A Resolution to execute a purchase order to Advanced Environmental for asbestos removal on 5 properties.
 - Code Enforcement Officer John Hufferd addressed the Commission stating six bids were received for asbestos removal for five properties. Advanced Environmental was the low bidder at \$9,250.

MOTION: Move to approve Resolution No. R-11-115 for adoption.

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

8. Resolution No. R-11-116 – A Resolution to execute a purchase order to Muller Construction for demolition of 2 properties.
 - Code Enforcement Officer John Hufferd addressed the Commission stating three bids were received for demolition of two properties; Muller Construction was within 5% of the low bidder, therefore, staff recommended awarding the bid to them based on the 5% preference for local vendors.

MOTION: Move to approve Resolution No. R-11-116 for adoption.

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

9. Resolution No. R-11-117 – A Resolution to authorize the sale of Electric Utility System Revenue Bonds.
 - Finance Director Stephanie Richardson addressed the Commission stating this resolution provides for the sale and delivery of the Electric Utility Bonds at 4% to 4.2%. The benchmark established for the sale was 5%.

MOTION: Move to approve Resolution No. R-11-117 for adoption.

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

10. Discussion and action to approve 2012 cereal malt beverage licenses.
 - City Clerk Cindy Price addressed the Commission stating there are 17 renewals for Cereal Malt Beverage Licenses for 2012. Sixteen of those are for permanent locations and the 17th is for the Montgomery County Fair Association held at Walter Johnson Park. The Fair renewal requires a resolution to exempt the event from the ordinance

prohibiting the sale of alcohol in public places. All renewals meet the criteria set out by state statute and are eligible to be licensed for 2012.

MOTION: Move to approve 2012 cereal malt beverage license renewals.

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

11. Resolution No. R-11-118 – A Resolution to approve the 2012 cereal malt beverage license for the Montgomery County Fair Association.

MOTION: Move to approve Resolution No. R-11-118 for adoption.

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

12. Discussion and action to set a public hearing for the purpose of amending the FY2011 Budget.

- Finance Director Stephanie Richardson addressed the Commission stating four funds require budget amendments with those being the general fund, bond and interest, water/wastewater interest and Aquatic Center.

MOTION: Move to set a public hearing for the purpose of amending the FY2011 budget for Tuesday, December 27, 2011, at 6:30 p.m.

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

13. Comments from Commissioners and Staff

- City Manager Jeff Morris updated Commissioners on current projects.
- Commissioner Don Edwards requested a report on how many gallons of water is being used at Hillcrest Golf Course.
- Commissioner George asked if lights could be put up at the recently opened skate park.

J. EXECUTIVE SESSION(s)

1. Attorney-client relationship

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 9:30 p.m.

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

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

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales tax report
2. Police Department report
3. Building permit report
4. Hillcrest Golf Course
5. Communication from Cox Communication

L. ADJOURN

MOTION: Move to adjourn.

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

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

Date the minutes were approved: _____

12/27/11

Cindy Price

Cindy Price, City Clerk