

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, DECEMBER 27, 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 RICHARD GONZALES
VIRGIL O. HORN, JR.

Absent:

COMMISSIONER DAVID GEORGE

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
INTERCONNECTED OPERATIONS MANAGER STEVE MCGIE
FIRE CHIEF JAMES GRIMMETT
HOUSING AUTHORITY DIRECTOR ROBERT YORK

- A. CALL TO ORDER** – Mayor Pam Jones
- B. INVOCATION** – Pastor Doug Mund, Grace Fellowship Church
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. REVIEW OF AGENDA**
- E. CONSENT AGENDA ITEMS**
1. Regular City Commission Meeting Minutes – Tuesday, December 13, 2011
 2. 2011 Appropriation Ordinance No. AO-11-25 – \$3,580,319.95
- MOTION:** Move to approve the consent agenda as presented.
- ACTION:** THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY MAYOR JONES. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER GEORGE WHO WAS ABSENT.
- REGULAR AGENDA ITEMS**
- F. PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).**
1. Public Hearing on FY2011 budget amendments.
 - Finance Director Stephanie Richardson addressed the Commission stating four funds from the FY 2011 budget need to be amended including the General Fund, Bond & Interest Fund, Aquatic Center Fund and the Water/Wastewater Debt Service Fund.

- Mayor Jones opened the public hearing.
 - There being no comments, Mayor Jones closed the public hearing.
2. Resolution No. R-11-119 - A Resolution to authorize the certification of the 2011 budget amendments.
- MOTION: Move to approve the consent agenda as presented.
- ACTION: THE MOTION WAS MADE BY COMMISSIONER HORN AND SECONDED BY COMMISSIONER GONZALES. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER GEORGE WHO WAS ABSENT.
3. Public Hearing on CVR request to vacate streets and alleys.
- Neal Barkley representing CVR addressed the Commission stating the refinery is requesting a rezoning change to Heavy Industrial District (I-2) in order to construct a rail track storage yard. The vacation request on tonight's agenda coincides with the rezoning. Due to an ongoing expansion, the production of the UAN will increase the number of rail cars 40% from 6,500 to 9,000.. The ammonia produced will continue to be trucked. Barkley noted the rail storage yard will only be used for the storage of unloaded cars; UAN is non-hazardous, switching will be done during the daytime, Monday through Friday; there will be a security fence installed on the south and west side; they intend to leave as many trees as possible on the west side and plant additional trees.
 - Public Works Director Chuck Shively addressed the Commission stating staff has reviewed the street and alley vacation request proposed by CVR. Staff recommends the three lots on the south side of the portion of New Street requested for vacation not owned by CVR be purchased by them or New Street be removed the request. Several of the alleys and two of the streets requested for vacation have active utilities which need to remain in service. Staff recommends the City retain a utility easement in each vacated alley and the Martin Street and Laurel Street right of way and the public access road to the Tree Dump be built on Union Street with a gravel road being acceptable.
 - Mayor Jones opened the public hearing.
 - Melvin Simpson, pastor of church located at First and Union stated he needs more information about the proposed rezoning and vacation and the map CVR was showing wasn't very clear.
 - Marcus Kastler, 804 Kansas, stated his concern about the refinery's reputation related to such things as green space and gravel in parking lots.
 - Paul Price, member of church located at First and Union stated he was still waiting for a map of the proposed rezoning and vacation.
 - Charles Weed, 207 New, expressed concern about the refinery parking their rail cars in the storage area.

- Tom Moley, 406 Westwood, stated he tried to sell property he has located in the area to the refinery but has not received a call back. He is also concerned this will become a repair shop for the railroad and questioned the amount of space needed for the rail yard.
- Chad Jasmin, representing Watco, stated the area will not have a repair shop and stated there are Federal requirements on the amount of space needed between adjacent tracks.
- Doug Mund, 206 W. Martin, expressed caution about making sure Commission was aware of all the plans the refinery and railroad have as once the area is rezoned, their future plans may change.
- There will be no action on this item until the January 10, 2012, meeting. Staff was instructed to mail maps to those who received notices regarding the rezoning.
- Mayor Jones closed the public hearing.

G. COMMENTS FROM THE PUBLIC - none

H. OLD BUSINESS

I. NEW BUSINESS

1. Resolution No. R-11-120 - A Resolution to purchase airport liability insurance.
 - Finance Director Stephanie Richardson addressed the Commission stating the renewal quote with Coffeyville Insurance Associates is 16% lower than last year with a premium of \$1,725.

MOTION: Move to approve Resolution No. R-11-120 for adoption.

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

2. Resolution No. R-11-121 – A Resolution to purchase workers compensation insurance.
 - Finance Director Stephanie Richardson addressed the Commission stating the work comp premium with the Kansas Municipal Insurance Trust is \$173,512 which represents a 7.3% decrease from last year. Once again, the City received a gold status.

MOTION: Move to approve Resolution No. R-11-121 for adoption.

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

3. Resolution No. R-11-122 – A Resolution to execute a contract with Criswell Engineering for preventative maintenance engineering services for the Electric Utility.
 - Electric Utility Director Gene Ratzlaff addressed the Commission stating the municipal electric utility maintains distribution and transmission substations, a distribution system, and a generating plant. Each of these facilities contain a certain amount of electrical apparatus or machinery that should receive preventative maintenance on a regularly

scheduled basis to measure the overall condition of the equipment and detect and repair problems before they cause failures resulting in unplanned outages. Criswell Engineering has performed this work since 2008 and proposes an agreement for 2012 not to exceed \$150,000.

MOTION: Move to approve Resolution No. R-11-122 for adoption.

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

4. Resolution No. R-11-123 – A Resolution to purchase an on-site license to host the GIS mapping system.
- Interconnected Operations Manager Steve McGie addressed the Commission stating the City will host the GIS mapping system on the City's website which will allow unlimited numbers of City employees access in a highly secure environment. The onsite license for the software is \$20,000 which will pay for itself in three years. There will continue to be a \$1,000 annual maintenance fee.

MOTION: Move to approve Resolution No. R-11-123 for adoption.

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

5. Resolution No. R-11-124 – A Resolution to approve Hillcrest Golf Course user fees.
- Deputy Public Works Director Jim Bradshaw addressed the Commission stating after review, staff is proposing the annual pass fees at the golf course will remain the same for those making payments. For those paying in full, the fees will be \$50 less rather than \$100 as in the previous two years. This fee schedule will improve the cash flow early in the year when large purchases of chemicals and pro shop inventory are made. The daily green fees will be lowered to \$12 for nine holes and \$17 for all day play Monday through Thursday and \$14 for nine holes and \$19 for 18 holes Friday, Saturday, Sunday and holidays; other rates will remain the same. The pass cards will be lowered to 10 – 9 hole plays at \$100 and 10 – 18 hole plays at \$150. Golf cart rental and trail fees will remain the same. The annual fee for a golf cart storage shed is \$250. There are currently 59 open cart sheds. The proposed rates were set with the goal to make area courses compete with Hillcrest rates and to entice golfers to play more frequently increasing the rounds of play.
 - Commissioner Edwards stated there is nothing conducive about the way the golf course is run; it needs to be run like a business so it doesn't continue to be a drain on the taxpayers. He suggested the open cart sheds be rented as storage buildings, wants the Commission to receive a monthly detailed income and expense report; have a quarterly inventory audit conducted and suggested the memberships and cart sheds be set up on anniversary dates rather than the calendar year.

MOTION: Move to approve Resolution No. R-11-124 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND

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

6. Resolution No. R-11-125 – A Resolution to implement a wage increase for non-represented City of Coffeyville employees.
- City Manager Jeff Morris addressed the Commission stating this will be a 30 cent per hour wage increase for all non-represented employees except the City Manager.

MOTION: Move to approve Resolution No. R-11-125 for adoption.

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

7. Resolution No. R-11-126 – A Resolution to approve a fee schedule for the City of Coffeyville.
- City Clerk Cindy Price addressed the Commission stating Commissioners approved incorporating a fee schedule in the City's Code of Ordinances. As staff has been codifying the current ordinances, the fees have been pulled out and placed in the fee schedule which was reviewed by Commissioners during November. The fees will become effective January 1.

MOTION: Move to approve Resolution No. R-11-126 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER HORN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER GEORGE WHO WAS ABSENT AND COMMISSIONER EDWARDS WHO VOTED NO.

8. Resolution No. R-11-127 – A Resolution to authorize a bid on property located at 502 Overlook.
- Housing Authority Director Robert York addressed the Commission stating there are three properties in foreclosure and being auctioned at an upcoming Sheriff's Sale. An approximate market value has been calculated based on the County appraised value, total square feet of living space and a drive by observation as pre-purchase inspections are not available. The offer calculations were calculated utilizing 30% to 40% of the average asking price per square foot for homes in the neighborhoods. Staff recommends authorizing a not-to-exceed maximum bid for the properties.

MOTION: Move to approve Resolution No. R-11-127 for adoption.

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

9. Resolution No. R-11-128 – A Resolution to authorize a bid on property located at 103 Wilshire.

MOTION: Move to approve Resolution No. R-11-128 for adoption.

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

10. Resolution No. R-11-129 – A Resolution to authorize a bid on property located at 1406 Stark.

MOTION: Move to approve Resolution No. R-11-129 for adoption.

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

11. Comments from Commissioners and Staff

- City Manager Jeff Morris updated Commissioners on various projects and stated the waiving of the residential building permit fees will end on December 31.

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 include Larry Markle, Diane George and Kwin Bromley and Commissioner George by phone and to reconvene on or before 9:15 p.m.

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

TIME THE MEETING WAS RECONVENED: 9:07 p.m.

MOTION: Move to authorize the Coffeyville Police Department to move ahead with legal proceedings against Larry McManus.

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

MOTION: Move to adjourn to Executive Session for discussion of items that would be deemed privileged in attorney-client relationship to include Chuck Shively and Jim Bradshaw and Commissioner George by phone and to reconvene on or before 9:40 p.m.

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

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, DECEMBER 27, 2011**

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TIME THE MEETING WAS RECONVENED: 9:40 p.m.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales tax report
2. Wastewater Treatment Plant inspection report
3. Public Library minutes

L. ADJOURN

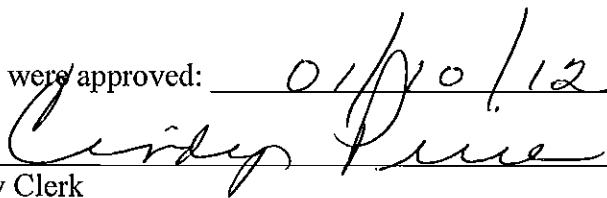
MOTION: Move to adjourn.

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

Time the meeting was adjourned: 9:40 p.m.

Date the minutes were approved: _____

01/30/12



Cindy Price, City Clerk