

REGULAR COMMISSION MEETING MINUTES
TUESDAY, FEBRUARY 14, 2012
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
TREASURER ANGIE NADEN
ENGINEERING SUPERINTENDENT SCOTT MASSMAN
CODE ENFORCEMENT OFFICER JOHN HUFFERD
FIRE CHIEF JAMES GRIMMETT

- 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, January 24, 2012
 2. Special City Commission Meeting Minutes – Monday, February 6, 2012
 3. 2012 Appropriation Ordinance No. AO-12-02 – \$1,496,519.27
- 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. Wayne Gudmonson, KDOT District IV, Area III Engineer – discuss KDOT proposal for US 160/US 169 junction.
 - Wayne Gudmonson addressed the Commission regarding the junction of Highways 169 and 160. There is a safety concern regarding the junction as several fatalities have occurred over the past few years. The options being considered are a roundabout and an interchange. It would cost approximately \$3.5 to \$4 million for a roundabout, however, with the number of oversize loads coming through, it would not be feasible. A lighted

interchange would cost in excess of \$10 million and would require all of the funds (\$10 million) allocated to this section of Highway 169 for the next ten years through the TWorks program. This would be KDOT's preferred project. Wayne requested a letter from the City regarding their comments on the junction.

MOTION: Move to support the project as presented by Gudmonson.

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

G. COMMENTS FROM THE PUBLIC

- Lawrence Briggans, Jr., 10 East First, suggested moving the Highway 160/169 intersection farther south. He also indicated he supports progress in the community but in regards to the rezoning, there needs to be consideration of constituents.
- Tom Moley, 407 Westwood, stated he contacted CVR regarding selling his property and has not received a call back.
- Neal Barkley, representing CRNF, stated they are going to expand the buy-out area to allow green space from Walnut east and Second Street north. The property is being appraised and the owners will be notified by mail and given an opportunity to sell. He requested the City treat the refinery fairly in regard to removing the foundations in the flood area.

H. OLD BUSINESS

1. Ordinance No. S-12-01 - First Reading of an Ordinance to rezone property located in the City of Coffeyville (100 & 200 block of East Wilcox; 100 block of East Beatty Street; 100 block of East Sterling Street; 100 & 200 block of East North Street; 100 & 200 block of East Martin Street; and the 100 & 200 block of East New Street).

MOTION: Move to take Ordinance No. S-12-01 from the table.

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

- Mayor Jones stated the restrictive covenant to be attached to the rezoning is important to protect the citizens and still allow progress.
- Commissioner Gonzales stated he was concerned about allowing full cars being stored in the rail yard. Neal Barkley stated they would only be on the east tracks and the west tracks would be strictly empty cars. If the storage of full cars was a deal breaker, it would come off the table.
- Mayor Jones stated she wanted the buyout area to remain a green space.

MOTION: Move to approve Ordinance No. S-12-01 for First Reading contingent upon CVR approving and filing the restrictive covenant plus a property buyout plan from Walnut east and Second Street north.

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

2. Ordinance No. S-12-02 – First Reading of an Ordinance to vacate certain streets and alleys.

MOTION: Move to approve Ordinance No. S-12-02 for First Reading.

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

I. NEW BUSINESS

1. Ordinance No. S-12-03 – First Reading of an Ordinance to approve the annual renewal of the property tax exemption for Four State Maintenance.

- City Treasurer Angie Naden addressed the Commissioners stating Four State Maintenance is behind in their job creation based on the information provided in 2008 when the tax exemption application was originally completed, however, compared to this time last year, employment numbers are up by two for a total current employment of 29. The owners have indicated sales and profits are starting to show increases. Their average wages are well above those projected in the original application. Staff has determined the ownership, use of the property and other qualified criteria for the tax exemption-incentive of Four State Maintenance continues to exist and is consistent with the original property tax exemption-incentive application. Employment levels and annual tax savings per job create are below those anticipated when the exemption was originally approved, however, previous experience with Four State on other exemption projects should be given consideration.
- Tom Tipton, Four State Maintenance owner, stated they had a profitable year with an increase of two employees over last year. They are down six from what they had originally estimated, however, their total payroll is up \$75,000.
- Commissioner Gonzales expressed concern about Four State Maintenance not adding the number of jobs as they had originally projected.

MOTION: Move to approve Ordinance No. S-12-03 for First Reading.

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

2. Resolution No. R-12-15 – A Resolution to execute a purchase order with Patriot Abatement for asbestos removal at three properties.

- Code Enforcement Officer John Hufferd addressed the Commissioners stating there were five bids received for asbestos removal for three properties. The low bid was \$6,600 from Patriot Abatement.

MOTION: Move to approve Resolution No. R-12-15 for adoption.

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

3. Resolution No. R-12-16 – A Resolution to execute a purchase order with G & G Dozer for demolition of seven properties.
 - Code Enforcement Officer John Hufferd addressed the Commissioners stating there were two bids received for the demolition of seven properties. The low bid was \$26,710 from G & G Dozer.

MOTION: Move to approve Resolution No. R-12-16 for adoption.

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

4. Resolution No. R-12-17 – A Resolution to submit the FY2013-FY2015 Airport Capital Improvement Plan data sheets to the FAA.
 - Engineering Superintendent Scott Massman addressed the Commissioners stating each year the City submits Airport Capital Improvement Plan data sheets to the Federal Aviation Administration for funding. The order for funding is based on the reasonableness, necessity and eligibility for federal funding of the project; currently the projects require a 5% cost sharing match by the City. The number one priority is a drainage project along runway 17-35. This will also include milling and an asphalt overlay of the main entrance road and FBO parking lot and the installation of runway light vegetation management devices. The second project is the construction of new t-hangars. Additional projects submitted include a snow removal storage building, extension of the parallel taxiway and extension of the north taxiway.

MOTION: Move to approve Resolution No. R-12-17 for adoption.

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

5. Resolution No. R-12-18 – A Resolution to execute a construction contract with Mission Construction for Edgewood Street improvements.
 - Public Works Director Chuck Shively addressed the Commissioners stating three bids were received for reconstruction of a portion of Edgewood Street in Cline's Westwood Addition. The project was bid with asphalt streets or concrete streets as an alternate. The cost for the project will be reimbursed by the \$392,000 EDI Special Project Grant from the United States Department of Housing and Urban Development. The low bid was received from Mission Construction; staff is recommending the concrete bid at \$178,754.25 be approved.

MOTION: Move to approve Resolution No. R-12-18 for adoption.

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

6. Resolution No. R-12-19 – A Resolution to execute a contract for purchase of property located at 1876 CR 5300.
 - City Manager Jeff Morris addressed the Commissioners stating the City has been

working with Retail Attractions over the last year to recruit retail business and development to our community. One of the strategies recommended by the consultant to work with prospective developers is for the City to gain control of property in prime areas as good opportunities arise. The property at 1876 CR 5300 is now available at a price of \$27,000.

MOTION: Move to approve Resolution No. R-12-19 for adoption.

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

7. Resolution No. R-12-20 – A Resolution to designate the Montgomery County Chronicle as the official city newspaper.

MOTION: Move to approve Resolution No. R-12-20 for adoption.

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

8. Resolution No. R-12-21 – A Resolution to execute a construction contract with Tri-Star Utilities for a sanitary sewer main replacement project.

- Deputy Public Works Director Jim Bradshaw addressed the Commissioners stating the Sanitary Sewer Department has cleared several sanitary sewer main stoppages in the vicinity between Wilshire and Tyler from Midland south to Fairway. Staff has cleaned and TV inspected the sanitary sewer mains in the area and found the tile sanitary sewer main is not structurally sound with several cracks and off set joints which allow deposits to catch and build up in the main line causing stoppages and backups. Two area contractors have provided proposals to replace approximately 1,433’ of 8” pipe and reconnect 19-23 services, six manholes and do some street repair. The majority of this project is in a utility easement which is enclosed by some of the resident’s fences and is also landscaped with trees and shrubs. The City will visit with each property owner and send a letter explaining the extent of the project. Staff recommends approving the proposal from Tri-Star Utilities at a cost of \$85,301.

MOTION: Move to approve Resolution No. R-12-21 for adoption.

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

9. Comments from Commissioners and Staff

- Chris Felix reported the Coffeyville Connections project is approximately 18% completed.
- Commissioner Edwards expressed concern about the street striping in the area of Lewark and 11th Street and suggested implementing employee comment boxes.

- Commissioner Horn expressed concern about the apartments on East Second and East Third stating the residents need to be moved out of there. Morris indicated he would contact KHRC.

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 and 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 adjourned: 9:30 p.m.

Mayor Jones stated there was no action as a result of the Executive Session.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales and Property Tax Reports
2. PD Report
3. Hillcrest Golf Course Report
4. Public Library Minutes
5. Thank you letter – Mary Bilby

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: _____

Cindy Price, City Clerk