

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, FEBRUARY 28, 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
ELECTRIC UTILITY DIRECTOR GENE RATZLAFF
ELECTRIC UTILITY DEPUTY DIRECTOR MIKE SHOOK
HOUSING DIRECTOR ROBERT YORK

- A. CALL TO ORDER** – Mayor Pam Jones
- B. INVOCATION** – Pastor Rick Krietemeyer, South Coffeyville Emmanuel Chapel
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. REVIEW OF AGENDA**
- E. CONSENT AGENDA ITEMS**
1. Regular City Commission Meeting Minutes – Tuesday, February 14, 2012
 2. 2012 Appropriation Ordinance No. AO-12-03 – \$5,008,254.52
- MOTION: Move to approve the consent agenda as presented.
- ACTION: THE MOTION WAS MADE BY COMMISSIONER JONES AND
SECONDED BY COMMISSIONER HORN. ROLL CALL VOTE – ALL
AYE.
- REGULAR AGENDA ITEMS**
- F. PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).**
- G. COMMENTS FROM THE PUBLIC**
- Mary Wilson, 207 West New, asked about the Farmers Market.
 - Tom Moley, 406 Westwood, expressed concern about the Refinery using a third party appraisal for their buy-out offer rather than using the County Appraiser's figures.
 - Neal Barkley, Coffeyville Resources Nitrogen Fertilizer, stated he had provided Commissioners with a copy of the buy-out letter to be sent to residents in the affected area.
 - Charles Weed, 207 W. New, asked if there would be restrictions in the covenant about hazardous materials.

H. OLD BUSINESS

1. Ordinance No. S-12-01 - Second 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).
 - City Attorney Paul Kritz addressed the Commission stating there have been no changes to the ordinance since first reading.
 - Commissioner Gonzales asked if the restrictive covenant stated there would be no storage of full cars. Neal Barkley stated their plan does not include storing full cars on the west side, however, he could not say what their future plans would be. The full cars would be on the east side of the rail yard as trains are being assembled and unassembled.

MOTION: Move to approve Ordinance No. S-12-01 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GEORGE AND SECONDED BY MAYOR JONES. ROLL CALL VOTE – COMMISSIONERS EDWARDS, GONZALES AND HORN VOTED NO; MAYOR JONES AND COMMISSIONER GEORGE VOTED AYE.

MOTION: Move to reconsider the previous motion.

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

No action

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

No action

3. Ordinance No. S-12-03 – Second Reading of an Ordinance to approve the annual renewal of the property tax exemption for Four State Maintenance.
 - Mayor Jones stated she met with Treasurer Angie Naden and did some additional research on the exemption for Four State Maintenance. She doesn't like the current policy as it is written and requested staff meet with the Economic Development Advisory Board to review the policy.

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

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

I. NEW BUSINESS

1. Discussion and action to appoint one person to a new term on the Housing Authority serving to January 1, 2016.

Applicant: Jeff Gossard

MOTION: Move to appoint Jeff Gossard to a four-year term on the Housing Authority serving to January 1, 2016.

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

2. Discussion and action to appoint one individual to a new term on the Montgomery County Community Corrections Advisory Board serving to January 1, 2014.

Applicant: Mark D. McCleary, I

MOTION: Move to appoint Mark McCleary to a two-year term on the Montgomery County Corrections Board serving to January 1, 2014.

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

3. Discussion and action to appoint one individual to a new term on the Planning Commission serving to January 1, 2015.

Applicant: Terry Rittenhouse

MOTION: Move to appoint Terry Rittenhouse to a three-year term on the Planning Commission serving to January 1, 2015.

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

4. Discussion and action to appoint one individual to a new term on the Recreation Commission serving to March 10, 2016.

Applicants: Michael Owen and Michael L. Wright

MOTION: Move to appoint Michael Owen to a four-year term on the Recreation Commission serving to January 1, 2016.

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

5. Resolution No. R-12-22 – A Resolution to purchase a truck for the Animal Control Officer.
 - Police Commander Diane George addressed the Commission stating the 1998 truck currently in use by the Animal Control Officer is in need of replacement. Quotes were requested for both used and new trucks with the best option a 2012 Ford F150 from Quality Motors at a price of \$15,033.36. Joe Watt will purchase the existing truck for \$1,000. Commissioners requested the City look into alternative fuel vehicles for future purchases.

MOTION: Move to approve Resolution No. R-12-22 for adoption.

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

6. Resolution No. R-12-23 – A Resolution to execute an Engineering Services Agreement with Lewellyn Technologies for an arc flash hazard analysis.
- Electric Utility Director Gene Ratzlaff addressed the Commission stating bids were requested for an Arc Flash Hazard Analysis and Mitigation study for the Electric Utility, Water Treatment, Wastewater Treatment plants and City Hall in order to meet OSHA requirements. Staff recommended executing an agreement with Lewellyn Technologies in an amount not to exceed \$22,199.

MOTION: Move to approve Resolution No. R-12-23 for adoption.

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

7. Resolution No. R-12-24 – A Resolution to issue a purchase order to SMC for the purchase of fiber optic test equipment.
- Electric Utility Director Gene Ratzlaff addressed the Commission stating the City currently has no equipment to test the integrity or troubleshoot issues with our current fiber optic network and has to contract any needed work out. Staff recommended purchasing the necessary testing equipment from SMC Electric at a cost of \$6,484.62.

MOTION: Move to approve Resolution No. R-12-24 for adoption.

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

- Michael Wright, applicant for the Recreation Commission, addressed the Commission stating his concern about not being asked to speak regarding his appointment to the Board.

8. Resolution No. R-12-25 – A Resolution to purchase property located at 1321 Hibbard
- Housing Authority Director Robert York addressed the Commission with a recommendation to purchase property located at 1321 Hibbard as part of the 2009 Housing Rehabilitation Grant program at a negotiated purchase price of \$29,500. Rehabilitation estimates are approximately \$26,500.

MOTION: Move to approve Resolution No. R-12-25 for adoption.

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

9. Resolution No. R-12-26 – A Resolution to accept the donation of property located at 602 West Fourth Street.
- Housing Authority Director Robert York addressed the Commission recommending the donation of property located at 602 West Fourth Street from David Greg and Sheryl J. Doty as part of the 2009 Housing Rehabilitation Grant program. Rehabilitation costs for the property are approximately \$75,000.

MOTION: Move to approve Resolution No. R-12-26 for adoption.

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

10. Resolution No. R-12-27 – A Resolution to approve rehabilitation costs for property located at 606 West Fourth Street.

- Housing Director Robert York addressed the Commission stating quotes have been received for the rehabilitation of property located at 606 West Fourth Street as part of the 2009 Housing Rehabilitation Grant. The estimated budget was \$74,500 with the bids in line with the estimates except for the painting and landscaping bids. Only one bid was received for each of those tasks and either additional bids will be requested for an alternative solution will be found.to reduce those costs to stay in line with the budget.

MOTION: Move to approve Resolution No. R-12-27 for adoption.

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

11. Comments from Commissioners and Staff

- Public Works Director Chuck Shively reviewed the KDOT T-Works funding and the funding of the US 160/169 intersection in light of KDOT's request to use the \$10M allotted for Highway 169 improvements to realign the intersection. Commissioners agreed to send a letter to KDOT whole heartedly supporting the proposed improvements at the 160/169 intersection but opposing the proposal to fund the improvements with the T-Works funds.
- City Manager Jeff Morris reported the Public Service Department is working on addressing the recommended items in the City's ADA plan; the updated plan can be found on the City's website. Morris also updated the Commission on the status of two bills in the Kansas Legislature, SB317 and HB2501. These bills have the potential to reclassify property at industries that has been classified as real property to personal property. Personal property can be depreciated down to 20% thus the outcome could be a tremendous tax shift affecting small, non-manufacturing businesses and residential properties.
- Mayor Jones gave an update on Downtown Coffeyville stating the tin was recently removed from many of the buildings in the 100 block of West Ninth Street.

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 discussion to reconvene on or before 9:30 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: 9:30 p.m.

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, FEBRUARY 28, 2012**

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K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Memo regarding KDOT funding
2. Library report

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: _____

03/13/12

Cindy Price

Cindy Price, City Clerk