

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, MAY 22, 2012
6:30 P.M.**

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

Present:

MAYOR DAVID GEORGE
COMMISSIONER DON EDWARDS
COMMISSIONER RICHARD GONZALES
COMMISSIONER VIRGIL O. HORN, JR.
COMMISSIONER PAM JONES

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
ELECTRIC UTILITY DIRECTOR GENE RATZLAFF
ELECTRIC UTILITY DEPUTY DIRECTOR MIKE SHOOK
HOUSING DIRECTOR ROBERT YORK
ENGINEERING SUPERINTENDENT SCOTT MASSMAN

- A. **CALL TO ORDER** – Mayor David George
- B. **INVOCATION** – Rev. Melvin Simpson, First Church of God in Christ
- C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. **REVIEW OF AGENDA**
- E. **CONSENT AGENDA ITEMS**
 - 1. Regular City Commission Meeting Minutes – Tuesday, May 8, 2012
 - 2. 2012 Appropriation Ordinance No. AO-12-09 – \$7,278,904.59
 - 3. Approve weed lot mowing contract for VWP Lawn Care

MOTION: Move to approve the consent agenda as presented.

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

REGULAR AGENDA ITEMS

- F. **PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).**
 - 1. Public Hearing – Vacation of Sparks Street
 - Chuck Shively, representing the City of Coffeyville, stated the City is requesting a portion of Sparks Street along with Wells and Bowden be vacated. With the construction of the rail switching yard, these streets will no longer be public streets. All utility easements will be retained.
 - Mayor George opened the Public Hearing.

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

2. Ordinance No. S-12-05 – First Reading of an Ordinance to vacate certain streets in the City of Coffeyville.

MOTION: Move to approve Ordinance No. S-12-05 for First Reading.

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

G. COMMENTS FROM THE PUBLIC

- Fred Wigley, Big Chief RV Park, and Larry Olson, Kansas RV Parks & Travel, addressed the Commission requesting they be allowed to pass on the actual electric usage to customers at the Big Chief RV Park. Current ordinances do not allow an entity to resell electricity. Commissioners indicated they would look into the matter.

H. OLD BUSINESS

I. NEW BUSINESS

1. Resolution No. R-12-52 – A Resolution to execute an Engineering Services Agreement with Professional Engineering Consultants (PEC) for preliminary design for the Geometric Improvement Project at 4th and Northeast.

- Engineering Superintendent Scott Massman addressed the Commission stating requests for qualifications were received from six different consulting engineering firms for the KDOT Geometric Improvement Project at Fourth and Northeast Streets. A selection committee reviewed the proposals and recommends Professional Engineering Consultants (PEC) in the not-to-exceed amount of \$47,130.

MOTION: Move to approve Resolution No. R-12-52 for adoption.

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

2. Resolution NO. R-12-53 – A Resolution to continue the Engineering Services Agreement with Allgeier, Martin & Associates for Civil Engineering Services.

- Public Works Director Chuck Shively addressed the Commission stating this will be a continuation of an agreement approved in 2006 with an adjusted rate schedule. This agreement allows Staff to utilize the engineer's services for many small projects and to react quickly to urgent situations without waiting for Commission approval of a separate contract for each project. The agreement does not prevent the City from entering into agreements with other engineering firms; there are currently two similar agreements with other firms.

MOTION: Move to approve Resolution No. R-12-53 for adoption.

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

3. Resolution No. R-12-54 – A Resolution to execute a Real Estate Contract for the sale of 806 W First Street.

■ Housing Director Robert York addressed the Commission stating an offer has been received for property located at 806 West First Street. This property was rehabilitated utilizing grant funding from the 2009 Housing Rehabilitation Grant provided by the Kansas Housing Resource Corporation. The negotiated selling price is \$45,000 with the Housing Authority paying up to \$3,500 of the closing costs. As the total cost for the property as of April 5, 2012, is \$72,325.37, there will be a loss of \$33,525.37 on the project. The loss is significant, however, the property has been on the market for an extended period of time. It will be a benefit to have the property occupied, will provide a utility customer, will provide a quality home for the buyer to occupy and will improve the neighborhood by eliminating a vacant house.

MOTION: Move to approve Resolution No. R-12-54 for adoption.

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

4. Discussion on correspondence from Coffeyville Resources Nitrogen Fertilizer, LLC, regarding purchase of property.

■ City Manager Jeff Morris addressed the Commission stating the City received an offer from Coffeyville Resources Nitrogen Fertilizers to purchase five properties in the buyout area. After discussion, the Commission agreed to proceed with the offer requesting they obtain a third party appraisal as stated in the letter. The Commission would also consider a possible trade for property owned by the refinery along the highway which was affected by the flood.

5. Resolution No. R-12-55 – A Resolution to execute a Memorandum of Agreement with Coffeyville SEKTAM for electric expansion.

■ City Manager Jeff Morris addressed the Commission stating Coffeyville SSEKTAM contacted the City expressing the need to increase the electric service to their facility to accommodate an expansion of the building for new equipment. The electric utility's standard policy requires the customer to fund the cost of conduit and conductor from the City's connection point to their facility. SEKTAM requested the City cover the cost as SEKTAM is making a substantial investment in the expansion of their facility along with a new piece of equipment which will consume a significant amount of electricity. The Memorandum of Agreement establishes the upgrades the City will provide as well as states in the event SEKTAM does not complete the expansion, they will reimburse the City for the associated expenses.

MOTION: Move to approve Resolution No. R-12-55 for adoption.

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

Mayor George recused himself from the meeting for the final two items.

6. Resolution No. R-12-56 – A Resolution to execute a contract with the League of Kansas Municipalities for the League Executive/Administrative Position Search Services.

■ City Attorney Paul Kritz addressed the Commission stating the contract with the League of Kansas Municipalities specifies the services the League will provide in the search for a city manager. There will be three surveys for each of the commissioners to fill out including a Who's Responsible Checklist, a Characteristics Profile and a Candidate Profile. Kritz requested these be returned to him by June 1, and he will send them to the League.

MOTION: Move to approve Resolution No. R-12-56 for adoption.

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

7. Resolution No. R-12-57 – A Resolution to appoint an Interim City Manager.

■ City Attorney Paul Kritz addressed the Commission stating a resolution was drafted following direction from the Commission at the last meeting to appoint Cindy Price as Interim City Manager/City Clerk with Paul Kritz appointed to oversee all personnel matters.

MOTION: Move to approve Resolution No. R-12-57 for adoption.

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

8. Comments from Commissioners and Staff

■ Cindy Price reminded Commissioners there would be a reception for Jeff Morris on May 31, 2-4 p.m.
■ Commissioner Edwards requested a marketing plan for the golf course and pool.

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 Chuck Shively to reconvene on or before 8:50 p.m.

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

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

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Electric Department Generation Update
2. Library Board Minutes

L. ADJOURN

MOTION: Move to adjourn.

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

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

Date the minutes were approved: _____

06/12/12

Cindy Price

Cindy Price, City Clerk