

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, JULY 10, 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 PAM JONES
COMMISSIONER VIRGIL O. HORN, JR.

City Staff in attendance were:

INTERIM CITY MANAGER/CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR STEPHANIE RICHARDSON
IT DIRECTOR CHRIS FELIX
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
DEPUTY PUBLIC WORKS DIRECTOR JIM BRADSHAW
ENGINEERING SUPERINTENDENT SCOTT MASSMAN
FIRE CHIEF JAMES GRIMMETT
POLICE CHIEF TONY CELESTE
ELECTRIC UTILITY DEPUTY DIRECTOR MIKE SHOOK

- A. CALL TO ORDER** – Mayor David George
- B. INVOCATION** – Pastor Richard Peckman, St. Paul’s Lutheran Church
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. REVIEW OF AGENDA**
- E. CONSENT AGENDA ITEMS**
 - 1. Regular City Commission Meeting Minutes – Tuesday, June 26, 2012
 - 2. 2012 Appropriation Ordinance No. AO-12-12 – \$1,065,207.58

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).**
 - 1. Report from Montgomery County Action Council
 - Brad Eilts, Executive Director of the Montgomery County Action Council, provided an update on MCAC’s activities and introduced Assistant Director Trisha Palmer. Eilts noted their primary focus at the present time is business retention and expansion and workforce development and recruitment.
 - 2. Resolution No. R-12-65 – A Resolution to execute the 2012 MCAC Membership and Services Agreement.

MOTION: Move to approve Resolution No. R-12-65 for adoption.

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

3. Shop Local Presentation by Coffeyville Area Chamber of Commerce and Downtown Coffeyville
 - Yvonne Hull, Director of the Coffeyville Area Chamber of Commerce, reviewed a Shop Local campaign the Chamber and Downtown Coffeyville are collaborating on to show the benefits of shopping locally.
4. Swear in Police Chief Tony Celeste
 - Mayor George introduced and swore in new Police Chief Tony Celeste.

G. COMMENTS FROM THE PUBLIC

- Mary Wilson provided an update on the Farmers' Market and stated the vendors are looking for a location for the Market during Fair Week.
- Nancy Wright, 405 Overlook, complained about a parking in the yard ticket she received at her residence. She requested the ticket fee go toward a recycling program for the City.

H. OLD BUSINESS

1. Resolution No. R-12-58 -- A Resolution to execute a lease agreement with the City of Coffeyville Board of Trustees of Coffeyville Regional Medical Center.
 - City Attorney Paul Kritz addressed the Commission stating this is the lease agreement originally presented to the Commissioners in June. As requested, the terms of the lease have been revised to five years with two five-year extensions. The lease includes a 180-day notice for termination.

MOTION: Move to approve Resolution No. R-12-58 for adoption.

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

2. Ordinance No. S-12-06 -- Second Reading of an ordinance to rezone property at 805 McArthur from Single Family Residential R-1 to Business District C-1.
 - City Clerk Cindy Price addressed the Commission stating according to Dennis Jacobs, Planner, there has been no correspondence or communications received on this rezoning since the first reading. Jed Claybrook, who is proposing to open the tea room, presented a parking plan to commissioners which will allow for parking on the south side of the property; a sealer will be put down to curtail dust on the parking lot.

MOTION: Move to approve Ordinance No. S-12-06 for adoption.

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

I. NEW BUSINESS

1. Resolution No. R-12-66 – A Resolution to award a construction contract to Muller Construction for improvements to the intersection of First and Central.

- Engineering Superintendent Scott Massman addressed the Commission stating this project will be a total replacement of the intersection of First and Central. The cost for this project is \$121,255 with the funding to come from the one-half cent sales tax currently being collected for residential street improvements. The intersection will be widened which required the purchase of a perpetual right of way on the northeast corner from Debbie Kudrick at a cost of \$1,000.

MOTION: Move to approve Resolution No. R-12-66 for adoption.

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

2. Resolution No. R-12-67 – A Resolution to purchase a perpetual right of way for public road improvements to the intersection of First and Central.

MOTION: Move to approve Resolution No. R-12-67 for adoption.

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

3. Resolution No. R-12-68 – A Resolution to authorize final change order No. 1 to Mission Construction for the Edgewood Drive Street Improvement project.

- Engineering Superintendent Scott Massman addressed the Commission stating this project, which is now complete, includes a change order for additional replacement of curb and gutter in the amount of \$9,688.63 making the total project cost \$188,442.88.

MOTION: Move to approve Resolution No. R-12-68 for adoption.

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

4. Discussion on annexation of city-owned property.

- City Clerk Cindy Price addressed the Commission stating staff compiled a list of all city-owned properties located outside the city limits for possible annexation. The list contains 21 properties with some having multiple tracts, such as the airport, for a total of 28 tracts. Staff is recommending the rail spur and utility easements not be annexed making a total of 14 properties. These properties include the airport, wastewater pump station in the Industrial Park, Electric Substation by Southwire, Tree Dump, Penn Street Lift Station, Exner Park north ball field, woodland and Buckeye, Eighth Street and CR 5300, Southern Hills tower, Animal Shelter, Wastewater Treatment Plant and 1876 CR 5300. Commissioners agreed with staff's proposal. Attorney Paul Kritz noted since the City owns the properties, there are no public hearing requirements, the process can be completed by passing an ordinance to annex the properties.

5. Comments from Commissioners and Staff

- Cindy Price reported a request has been received from the organizers of the 100 Mile Highway Sale, September 7-8, for the city to waive the garage sale license fee for participants for those two days. Commissioners approved. Applications are due Friday, July 13, at noon for the Commission vacancy. A special meeting will be held July 17 to interview the applicants. Price read a communication from the Kansas Water Office stating the Governor has declared every county in the state to be in some stage of drought; Montgomery County is in a watch status. This means the city should put the Water Conservation Plan into effect. Therefore, the public is asked to restrict some outdoor water use and make efficient use of indoor water.

- Commissioner Horn stated a concern about the appearance of the lot at the Cox Communications building at 11th and Patterson.

J. EXECUTIVE SESSION(s)

1. Acquisition of real estate

MOTION: Move to adjourn to Executive Session for discussion of non-elected personnel to include Police Chief Tony Celeste and to reconvene on or before 7:45 p.m.

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

Time the meeting was reconvened: 7:45 p.m.

Mayor George stated there was no action as a result of the executive session

MOTION: Move to adjourn to Executive Session for discussion of the acquisition of real estate to include Chuck Shively, Jim Bradshaw and James Grimmett to reconvene on or before 8:45 p.m.

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

Time the meeting was reconvened: 8:45 p.m.

Mayor George stated there was no action as a result of the executive session

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales tax report
2. Hillcrest Golf Course monthly report

L. ADJOURN

MOTION: Move to adjourn.

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

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

Date the minutes were approved:

07/24/12

Cindy Price

Cindy Price, City Clerk