

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, AUGUST 14, 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 JIM FALKNER
COMMISSIONER PAM JONES
COMMISSIONER VIRGIL O. HORN, JR.

City Staff in attendance were:

INTERIM CITY MANAGER/CITY CLERK CINDY PRICE
FINANCE DIRECTOR STEPHANIE RICHARDSON
CITY ATTORNEY PAUL KRITZ
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
DEPUTY PUBLIC WORKS DIRECTOR JIM BRADSHAW
FIRE CHIEF JAMES GRIMMETT
POLICE CHIEF TONY CELESTE
CODE ENFORCEMENT OFFICER JOHN HUFFERD
ELECTRIC UTILITY DIRECTOR GENE RATZLAFF
ELECTRIC UTILITY DEPUTY DIRECTOR MIKE SHOOK
INTERCONNECTIONS MANAGER STEVE MCGIE

- A. CALL TO ORDER** – Mayor David George
- B. INVOCATION** – Margie Miller, Crossroads Community of Christ
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. REVIEW OF AGENDA**
- E. CONSENT AGENDA ITEMS**
 - 1. Regular City Commission Meeting Minutes – Tuesday, July 24, 2012
 - 2. Special City Commission Meeting Minutes – Tuesday, August 7, 2012
 - 3. 2012 Appropriation Ordinance No. AO-12-13 – \$1,443,254.11
 - 4. Cereal Malt Beverage license for J. Ross BBQ located at 302 E. 8th Street

MOTION: Move to approve the consent agenda as presented.

ACTION: THE MOTION WAS MADE BY COMMISSIONER HORN 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 for FY 2013 Budget

- Finance Director Stephanie Richardson addressed the Commission stating the City's total budget for FY2013 is \$84,671,041. Of this \$4,029,242 will be levied from property tax

with the total estimated mill levy 37.800 which is down from 39.114 in 2012. To get to that mill levy, budget cuts will be implemented including the elimination of four positions – the housing director, a customer service representative and two in public service. Additional cuts will be from conventions and schools, travel. Office furniture and equipment, computer and office supplies, fuel and safety equipment.

- Mayor George opened the Public Hearing.
- Margie Miller asked about the carpet for the Public Library.
- Charles Weed asked how much reserve is in the budget.
- Mayor George closed the Public Hearing.

2. Resolution No. R-12-75 – A Resolution to authorize the certification of the FY 2013 budget.

MOTION: Move to approve Resolution No. R-12-75 for adoption.

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

G. COMMENTS FROM THE PUBLIC

- Mary Wilson, 207 West New, reported on the Farmers Market.
- Mike Cordray, 500 Michele, and owner of C&R Partners/Varsity Car Wash, expressed concern about the pending increase in water rates. He stated smaller increments would be easier for the businesses to handle.
- Charles Weed, 207 West New, stated the rail storage yard is moving north and will be located outside the city limits.
- Mary Kai Brandenburg, 3611 W. 4th, requested the City continue with the pool hours as stated.
- Steve Westervelt, 501 N. Forrest, asked if there was an ordinance prohibiting motor vehicles on the levee. He is having problems with horses and motor vehicles getting on the levee.

H. OLD BUSINESS

1. Ordinance No. G-12-02 – Second Reading of an Ordinance to approve water/wastewater rates.
 - Public Works Director Chuck Shively addressed the Commission stating there have been no changes from the first reading.

MOTION: Move to approve Ordinance No. G-12-02 for adoption.

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

2. Ordinance No. G-12-03 – Second Reading of an Ordinance to approve stormwater rates.
 - Public Works Director Chuck Shively addressed the Commission stating there have been no changes from the first reading.

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

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

I. NEW BUSINESS

1. Ordinance No. G-12-04 – First Reading of an Ordinance to approve the 2012 Standard Traffic Ordinance.
 - City Attorney Paul Kritz addressed the Commission stating the City regularly adopts the most recent version of the Standard Traffic Ordinance and Uniform Public Offense Code which are published by the League of Kansas Municipalities to incorporate changes to the laws as enacted by the Kansas Legislature.

MOTION: Move to approve Ordinance No. G-12-04 for adoption.

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

2. Ordinance No. G-12-05 – First Reading of an Ordinance to approve the 2012 Uniform Public Offense Code.

MOTION: Move to approve Ordinance No. G-12-05 for adoption.

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

3. Resolution No. R-12-76 – A Resolution to execute a contract with Muller Construction for demolition of four properties.
 - Code Enforcement Officer John Hufferd addressed the Commission stating two bids were received for the demolition of four properties. Staff recommends awarding the contract to Muller Construction at \$16,800.

MOTION: Move to approve Resolution No. R-12-76 for adoption.

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

4. Resolution No. R-12-77 – A Resolution to execute a memorandum of agreement for the Electrical Power Technology Program.
 - Interim City Manager Cindy Price addressed the Commission stating this is the third year for the Electrical Power Technology Program which is a joint effort with the City of

Coffeyville, Coffeyville Community College and Pratt Community College. The program which trains linemen for the electrical industry, has been successful with 15 enrolled the first year; 20 the second year and 10 so far this year. This agreement will be for three years.

MOTION: Move to approve Resolution No. R-12-77 for adoption.

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

5. Ordinance No. S-12-07 – An Ordinance authorizing the declaration of an emergency to issue a water warning for customers of the City of Coffeyville Water Utility.

- Public Works Director Chuck Shively addressed the Commission stating the water flow in the Verdigris River is such that conservation efforts need to be taken. The City of Coffeyville has a Water Purchase Agreement with the Kansas Water Office Water Marketing Program for water in Elk City Lake. The contract makes water available in the event natural lows in the river cannot meet the needs of our water utility. The contract is for 300 million gallons annually at \$0.10 per thousand gallons. The City pays for 150 million gallons each year whether it is used or not at an annual cost of \$15,000. If the 150 million gallons paid for by the minimum annual payment is used, the cost for the water used is paid for at \$0.10 per thousand gallons up to a total of 300 million gallons. The City is currently using stored water. If no significant rainfall is received in the basin, and Coffeyville is forced to pull all water from storage, it would last approximately 32 days at the current rate of use before we had to begin paying for it; the additional 150 million gallons would last another 38 days. The City of Coffeyville provides water to the cities of Dearing and South Coffeyville as well as five rural water districts. The City will cease hydrant flushing except to maintain water quality, will stop watering the fairways at Hillcrest Golf Course and turn off the fountain downtown. Water customers will be asked to conserve water and to do lawn watering on the even/odd system.

MOTION: Move to approve Ordinance S-12-07 for adoption on an emergency basis.

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

6. Resolution No. R-12-78 – A Resolution to execute an agreement letter with Liberty Hotel Group.

- City Attorney Paul Kritz addressed the Commission stating Liberty Hotel Group has submitted an agreement letter to place an option on the 2.7 acre parcel at Eighth and Northeast Street. The option is good for 90 days in order for a feasibility study to be completed for the construction of a hotel. The purchase price of the property is \$275,000.

MOTION: Move to approve Resolution No. R-12-78 for adoption.

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

7. Comments from Commissioners and Staff

- Cindy Price reported the Public Service Department is completing the removal of all slabs and footings on city-owned property in the flood affected area. She also reported the Power Plant has been in operation around the clock for the past several days and noted the next draft of the City's ordinances should be complete soon. The ordinances are being codified by the League of Kansas Municipalities. The zoning ordinances were not part of the codification process as this is not an expertise of the League. Dennis Jacobs has contacted Oschner, Hare & Hare, who completed the Comprehensive Plan, and received a quote of \$15,300 to codify the zoning ordinances. Commissioners stated they wanted to think about this.
- Commissioner Falkner requested an ordinance be put in place stating there can be no storage on the first floors of downtown buildings or screening needs to be in place.
- Commissioner Edwards asked what hours the Animal Control Officer worked.

J. EXECUTIVE SESSION(s)

1. Attorney-Client privilege

MOTION: Move to adjourn to Executive Session for discussion of items that would be deemed privileged in attorney-client privilege to reconvene on or before 8:40 p.m.

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

Time the meeting was reconvened: 8:40 p.m.

Mayor George stated there would be no action as a result of the Executive Session.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Police Department 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

Time the meeting was adjourned: 8:40 p.m.

Date the minutes were approved: _____

Cindy Price, City Clerk