

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, MARCH 12, 2013
6:30 P.M.**

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

Present:

COMMISSIONER DON EDWARDS
COMMISSIONER JIM FALKNER
MAYOR DAVID GEORGE
COMMISSIONER VIRGIL O. HORN, JR.
COMMISSIONER PAM JONES

City Staff in attendance were:

CITY MANAGER GARY BRADLEY
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR STEPHANIE RICHARDSON
IT DIRECTOR CHRIS FELIX
DEPUTY PUBLIC WORKS DIRECTOR JIM BRADSHAW
FIRE CHIEF JAMES GRIMMETT
CODE ENFORCEMENT OFFICER TAMMY DIXON
POLICE CHIEF TONY CELESTE
ELECTRIC UTILITY DIRECTOR GENE RATZLAFF
ELECTRIC UTILITY DEPUTY DIRECTOR MIKE SHOOK

- A. **CALL TO ORDER** – Mayor David George
- B. **INVOCATION** – Jim Falkner
- C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. **REVIEW OF AGENDA**
- E. **CONSENT AGENDA ITEMS**
 - 1. Regular City Commission Meeting Minutes – Tuesday, February 26, 2013
 - 2. 2013 Appropriation Ordinance No. AO-13-04 – \$ 691,916.19

MOTION: Move to approve the consent agenda as presented with the exception of payment to Retail Attractions.

ACTION: MOTION: JONES SECOND: EDWARDS

MOTION: Move to amend the motion to state the Retail Attractions payments are to be listed as an item on the next agenda.

ACTION: MOTION: JONES SECOND: EDWARDS
VOTE: ALL AYE EXCEPT HORN WHO WAS ABSENT

MOTION: Move to approve the amended motion to approve the consent agenda as presented with the Retail Attractions payments be listed as an item on the next agenda.

ACTION: MOTION: JONES SECOND: FALKNER
VOTE: ALL AYE EXCEPT HORN WHO WAS ABSENT

REGULAR AGENDA ITEMS

F. PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).

G. COMMENTS FROM THE PUBLIC

- Mary Wilson, 207 West New, provided positive comments on the resurfacing of South Walnut.

H. OLD BUSINESS

MOTION: Move to rescind the action taken at the last meeting denying a cereal malt beverage license for Windsor Place Relay For Life team.

ACTION: MOTION: EDWARDS SECOND: FALKNER
VOTE: AYE – EDWARDS, GEORGE, FALKNER; NO – HORN AND JONES. MOTION FAILED AS IT WOULD TAKE A 2/3 MAJORITY SINCE THE ITEM WAS NOT LISTED ON THE AGENDA AND NO PUBLIC NOTICE GIVEN.

- Commissioner Edwards requested the motion to rescind the action taken on the Windsor Place Relay For Life cereal malt beverage application be on the agenda for the next meeting. Attorney Kritz noted it would only take a majority approval if it were on the agenda. As the City has not officially adopted Robert's Rules of Order for parliamentary procedure, it will be listed as an agenda item at the next meeting. Commissioners also held discussion about participating in meetings via the phone or other electronic means. Commissioner Horn was unable to be present at the beginning of the meeting and had requested to be part of any discussion in the Windsor Place CMB license. While no formal policy has been adopted, previous Commissioners have discussed not allowing a vote by telephone. The Commission directed City Manager Gary Bradley to check with other communities to see how they handle this.

I. NEW BUSINESS

1. Resolution No. R-13-20 – A Resolution to authorize Downtown Coffeyville to use the downtown Plaza and to approve the consumption of alcohol during a special event.

- City Clerk Cindy Price stated Downtown Coffeyville, Inc., is planning a fundraiser on June 8. They are requesting the use of the downtown Plaza and also approval to sell and consume alcoholic beverages. Sarah Key from Downtown Coffeyville stated the event will be held in a controlled area with one entry in and out. They will have an auction, music, food, wine, beer, tea and lemonade. They have worked with the Police Chief on security. In answer to a question by Commissioner Horn on why they want to sell alcohol in a public place downtown, Key replied the event is being held to showcase the downtown area; to get more people downtown and show off the improvements.

MOTION: Move to approve Resolution No. R-13-20 for adoption.

ACTION: MOTION: EDWARDS SECOND: FALKNER
VOTE: ALL AYE; EXCEPT HORN WHO VOTED NO AND JONES WHO ABSTAINED. MOTION PASSED.

2. Discussion and action to approve a cereal malt beverage license for Philips Jump Start at 512 Northeast Street.

- City Clerk Cindy Price stated Philips Jump Start, 512 Northeast, has re-opened, and the owners have applied for a cereal malt beverage license. They meet all the requirements as set out by state statute and are eligible to receive a license.

MOTION: Move to approve a cereal malt beverage license for Philips Jump Start at 512 Northeast Street.

ACTION: MOTION: EDWARDS SECOND: FALKNER
VOTE: AYE – EDWARDS, GEORGE, FALKNER; NO – HORN AND JONES. MOTION PASSED

3. Resolution No. R-13-21 – A Resolution to approve an engineering agreement with Allgeier, Martin and Associates for the KDOT KLINK Project on Highway 166/169.

- Engineering Superintendent Scott Massman stated four proposals were received from engineering firms for the Kansas Department of Transportation KLINK Project No. US 166-169 U-0124-01. The review committee recommended Allgeier, Martin and Associates in an amount not to exceed \$22,819. This project will include joint repair and resurfacing.

MOTION: Move to approve Resolution No. R-13-21 for adoption.

ACTION: MOTION: HORN SECOND: JONES
VOTE: ALL AYE

4. Resolution No. R-13-22 – A Resolution to execute a purchase order with Shawnee Mission Ford for the purchase of two vehicles for the Police Department.

- Police Chief Tony Celeste stated bids have been received for two patrol vehicles. Bids were received from three dealerships; following review, staff recommends purchasing two Ford SUB Interceptors from Shawnee Mission Ford in the amount of \$52,574. Three vehicles will be taken out of service once the new vehicles are received.

MOTION: Move to approve Resolution No. R-13-22 for adoption.

ACTION: MOTION: EDWARDS SECOND: HORN
VOTE: ALL AYE

5. Resolution No. R-13-23 – A Resolution to execute a purchase order with G & G Dozer for the demolition and disposal of five structures.

- Fire Chief James Grimmett stated three bids were received for the demolition of five properties. Staff recommends awarding the contract to G&G Dozer in the amount of \$13,400.

MOTION: Move to approve Resolution No. R-13-23 for adoption.

ACTION: MOTION: EDWARDS SECOND: JONES
VOTE: ALL AYE

6. Resolution No. R-13-24 – A Resolution to purchase health insurance coverage.
- Finance Director Stephanie Richardson stated the health insurance renewal with Blue Cross/Blue Shield came in with a 4.9% increase. The benefits will remain the same as last year and the City will maintain its annual contribution of \$9,000 per budgeted employee. There will be no increase to employees at this time. Staff will monitor claims throughout the year and make recommendations to the health insurance committee if employee premium adjustments would be necessary.

MOTION: Move to approve Resolution No. R-13-24 for adoption.

ACTION: MOTION: JONES SECOND: FALKNER
VOTE: ALL AYE

7. Ordinance No. G-13-01 – First Reading of an Ordinance to amend Chapter 16 weed nuisances.
- Fire Chief James Grimmert stated he is recommending the weed nuisance ordinance be changed to consider weeds as having a blighting effect if they exceed 12 inches in height rather than the current eight inches currently in the ordinance. The Code Enforcement Office currently sends out a notice when weeds and grass exceed eight inches and do a follow up inspection in ten days. They have found a large majority of people who received the letters were mowing their properties once the grass reached the eight-inch mark. This will free up more time for the Code Enforcement Officer to focus on nuisance abatement and other nuisances.

MOTION: Move to approve Ordinance No. G-13-01 for First Reading.

ACTION: MOTION: EDWARDS SECOND: HORN
VOTE: ALL AYE

8. Discussion on Gun Range policy.
- Police Chief Tony Celeste stated it was recently brought to the attention of the Police Department private concealed carry classes were being conducted at the City's gun range. He has developed a draft policy which authorizes the Police Department to regulate the use of the range. Kelly Stewart and Richard George are coordinating concealed carry classes and provided additional information to the Commission about their classes.
9. Comments from Commissioners and Staff
- Police Chief Celeste reported Commander Diane George is retiring effective March 17.
 - City Manager Bradley reported the community surveys are out; the Economic Development and Community Development Task Forces have begun meeting, and their reports should be completed in three months; he has begun presentations related to the sales tax election; and the architects have begun their building assessments with a schematic presented to the City in three months.
 - Commissioner Falkner urged citizens to contact legislators urging them to vote no on a bill to move local elections to November.

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J. EXECUTIVE SESSION(s)

1. Non-elected personnel

MOTION: Move to adjourn to executive session for discussion of non-elected personnel to reconvene on or before 8:20 p.m. including a 12-minute break.

ACTION: MOTION: GEORGE SECOND: EDWARDS
VOTE: ALL AYE

Time the meeting was reconvened: 8:20 p.m.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales tax report
2. Planning Commission Minutes

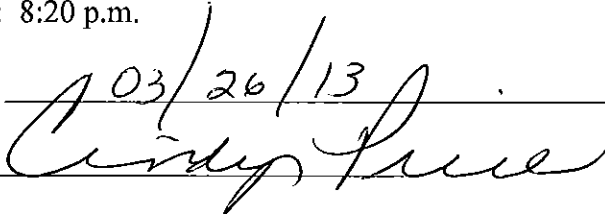
L. ADJOURN

MOTION: Move to adjourn.

ACTION: MOTION: GEORGE SECOND: EDWARDS
VOTE: ALL AYE

Time the meeting was adjourned: 8:20 p.m.

Date the minutes were approved: _____

03/26/13


Cindy Price, City Clerk