REGULAR COMMISSION MEETING MINUTES
TUESDAY, JANUARY 22, 2013
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 VIRGIL O. HORN, JR.
COMMISSIONER PAM JONES

City Staff in attendance were:

CITY MANAGER GARY BRADLEY
CITY CLERK CINDY PRICE
FINANCE DIRECTOR STEPHANIE RICHARDSON
CITY ATTORNEY PAUL KRITZ
IT DIRECTOR CHRIS FELIX
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
FIRE CHIEF JAMES GRIMMETT
POLICE CHIEF TONY CELESTE
ELECTRIC UTILITY DIRECTOR GENE RATZLAFF
TREASURER ANGIE NADEN
PLANNER/ARCHITECT DENNIS JACOBS

A. CALL TO ORDER – Mayor David George

B. INVOCATION – Mother Antoinette Tackkett, St. Paul's Episcopal Church

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. REVIEW OF AGENDA

E. CONSENT AGENDA ITEMS

1. Regular City Commission Meeting Minutes – Tuesday, January 8, 2013
2. 2012 Appropriation Ordinance No. AO-12-25 – $ 234,778.52
3. 2013 Appropriation Ordinance No. AO-13-01 – $4,234,428.95

MOTION: Move to approve the minutes, Appropriation Ordinance No. AO-12-25 and Appropriation Ordinance No. AO-13-01 less a $3,000 check to Retail Attractions.

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

4. Resolution No. R-13-02 – A Resolution to execute a Memorandum of Agreement between Isham Hardware and the City of Coffeyville regarding replacement of a sidewalk.

MOTION: Move to approve Resolution No. R-13-02 for adoption.

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

REGULAR AGENDA ITEMS

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

G. COMMENTS FROM THE PUBLIC

■ Mary Wilson, 407 W. New, commented on the recent recycling survey.

H. OLD BUSINESS

1. Take from the table - Ordinance No. S-13-01 – Second Reading of an Ordinance to rezone property located at 1512 West Second Street.

   MOTION: Move to take Ordinance No. S-13-01 from the table.

   ACTION: MOTION MADE BY HORN AND SECONDED BY FALKNER. ROLL CALL VOTE – ALL AYE.

2. Ordinance No. S-13-01 – Second Reading of an Ordinance to rezone property located at 1512 West Second Street.
   ■ Commission Edwards suggested a moratorium be placed on rezoning application until the codes could be revised; Horn concurred.

   MOTION: Move to approve Ordinance No. S-13-01 for adoption.

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

I. NEW BUSINESS

1. Resolution No. R-13-03 – A Resolution to execute a contract with Criswell Engineering for the Electric Utility.
   ■ Electric Utility Director Gene Ratzlaff stated some of the preventative maintenance at the electric utility is able to be performed by staff, however, some must be done by a contractor due to the expertise and specialized test equipment required. Roy Criswell has provided this service in the past and is very knowledgeable about the electric utility. His renewal rates are the same as the past two years at $150,000 per year.
   ■ Commissioner Edwards stated engineering services should be put out for bid.

   MOTION: Move to approve Resolution No. R-13-03 for adoption.

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

2. Resolution No. R-13-04 – A Resolution to approve an agreement with Asplundh Tree Expert Co.
   ■ Electric Utility Director Gene Ratzlaff stated the tree trimming services Asplundh has provided has resulted in improved service and reduced outages for customers. In the event of a disaster such as a tornado or ice storm, Asplundh will bring in as many crews as necessary to assist with tree removal or other tasks as assigned. The crew rates for 2013 are the same as the past two years.

   MOTION: Move to approve Resolution No. R-13-04 for adoption.

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

3. Resolution No. R-13-05 – A Resolution to execute an instrument to terminate a Declaration of Restrictive Covenant.
   - City Attorney Paul Kritz stated when property owned by Coffeyville Resources west of their facility was rezoned, the intent was to construct a railcar storage yard. As part of the rezoning, the City required them to execute and record certain restrictive covenants to govern the layout of the yard and imposed several conditions regarding the yard operations. Coffeyville Resources has since shifted the rail yard location to the property north of the proposed site, which is outside the City limits, and is requesting the covenants be terminated.
   - Neal Barkley, Coffeyville Resources Nitrogen Fertilizer Plant, stated the company determined it was not cost effective to build the rail storage yard at the proposed location due to a number of utilities and pipelines which would have to be moved. He stated they have no specific plans at this time for the property; since the zoning has reverted back to residential, any future plans will require CVR come back to the City for rezoning of the property. Barkley also stated there have been 55 properties purchased by the refinery, and the trees will remain.

   MOTION: Move to approve Resolution No. R-13-05 for adoption.

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

4. Resolution No. R-13-06 – A Resolution to execute an audit engagement letter with Jarred, Gilmore & Phillips, PA.
   - Finance Director Stephanie Richardson stated requests for proposals were solicited from 32 audit firms for the City's audits for 2012, 2013 and 2014. Five proposals were received and ranked by City staff. The price for services was an important factor in the evaluation of the proposals in addition to the firms' experience with auditing Kansas municipalities, reporting based on the Kansas Municipal Audit & Accounting Guide and the knowledge of auditing utilities. Staff is recommending Jarred, Gilmore & Phillips be approved to provide auditing services for three years subject to annual confirmation by the Commissioners. They have performed the City's audit since 1988 and are familiar with how the City operates.
   - Commissioner Edwards stated the City should switch audit firms periodically.

   MOTION: Move to approve Resolution No. R-13-06 for adoption.

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

5. Resolution No. R-13-07 – A Resolution to call a special question election to extend a one-half percent city-wide retailers' sales tax for general transportation improvements.
   - City Manager Gary Bradley stated the one-half cent sales tax approved in 2003 for wastewater infrastructure and transportation improvements expires on December 31, 2013. The City is developing a Capital Improvements Program as well as conducting a

residential survey. The results of those will not be complete for a few months, however, he feels confident transportation needs will be among the top priorities. By moving forward now, the sales tax question can be placed on the April general election ballot rather than having to call a special election.

MOTION: Move to approve Resolution No. R-13-07 for adoption with a ten-year sunset on the sales tax.

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

6. Discussion on City of Coffeyville solid waste collection services.
   - Treasurer Angie Naden provided information as previously requested by Commissioners on damage to streets from the trash trucks as well as the cost to repair plus the cost of maintenance to alleys if trash service is moved from curbside to alley pick up. Commissioners agreed with staff recommendation to award the residential trash contract to Waste Connections, and the contract to pick up trash City facilities to Republic. These contracts will be taken to Commissioners at the next meeting.

7. Resolution No. R-13-08 – A Resolution to execute an agreement with Peregrine Corporation for utility bill printing and mailing.
   - IT Director Chris Felix stated effective January 27, 2013, the current utility bill printer will no longer support printing addresses in the format acceptable by the postal service in order to get the reduced mailing rate. Staff has reviewed various billing formats and requested quotes on equipment to continue to print bills in house and from companies to outsource the printing. Staff recommends executing a three-year agreement with Peregrine to print and mail the utility bills and related notices. Finance Director Stephanie Richardson provided samples of what the utility bills would look like in the new 8 ½ inch by 11 inch format. As these bills will be in envelopes, the City will also have the opportunity to use inserts which can be used to provide information to our citizens.

MOTION: Move to approve Resolution No. R-13-08 for adoption.

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

8. Discussion on current building and zoning codes.
   - Commissioner Jones provided a list of changes she would like to see in zoning codes, ordinances and building requirements. She has received numerous complaints about a metal building constructed on a residential lot.
   - Jeanine LelaCheur, 306 S. Edgewood, stated she lives near the property where the building was constructed. She stated she has done some research on the property, and there are covenants in place to restrict such construction. She recommended the Register of Deeds be contacted prior to issuing building permits to see if such covenants are in place or require the property owner to do so.

9. Comments from Commissioners and Staff
   - Chuck Shively reported work has begun on intersections at 8th and Gillam, 8th and Lewark and 8th and Edgewood. The next group of intersections is ready to go out for bid. He also reported the City received a check for $159,227.07 in an atrazine settlement.
   - Gary Bradley reported RFQ's for architectural services for proposed building improvements have been received and are being reviewed.
   - Mayor George reported there has been an offer on the house the City owns at 1109 West First.
   - Commissioner Horn commented on a letter he had received from the Brownies urging the City to look for ways to offer recycling.

J. EXECUTIVE SESSION(s)

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Police Department report
2. Building Permit December Report
3. Library Minutes

L. ADJOURN

MOTION: Move to adjourn.

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

Time the meeting was adjourned: 8:12 p.m.

Date the minutes were approved: _____

_____
Cindy Price, City Clerk