COMMISSION MEETING MINUTES
TUESDAY, SEPTEMBER 27, 2016
6:30 P.M.

The Board of Commissioners met in Regular Session at 6:30 p.m. at the Senior Center. The meeting was called to order by Mayor Chris Williams.

Present:
MAYOR CHRIS WILLIAMS
COMMISSIONER PAUL BAUER
COMMISSIONER MARCUS KASTLER
COMMISSIONER JUSTIN MARTIN

Absent:
COMMISSIONER JIM C. TAYLOR, JR.

City Staff in attendance were:
CITY MANAGER KENDAL FRANCIS
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR STEPHANIE RICHARDSON
IT DIRECTOR CHRIS FELIX
ELECTRIC UTILITY DEPUTY DIRECTOR MIKE SHOOK
PUBLIC WORKS DEPUTY DIRECTOR JIM BRADSHAW
ENGINEERING SUPERINTENDENT THOMAS OSBORN
FIRE CHIEF BOB ROESKY
HUMAN RESOURCES OFFICER MARILYNN EVENSON
POLICE CHIEF KWIN BROMLEY

A. **CALL TO ORDER** – Mayor Chris Williams

B. **INVOCATION** – Dr. Dean McNamara, First Baptist Church

C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

D. **REVIEW OF AGENDA**

E. **CONSENT AGENDA**

1. City Commission Meeting Minutes – Tuesday, September 13, 2016
2. 2016 Appropriation Ordinance No. AO-16-18 – $5,048,694.89
3. 2016 Appropriation Ordinance No. AO-16-18A (Taylor Crane) – $ 255.00

ACTION: COMMISSIONERS CONCURRED TO APPROVE.

REGULAR AGENDA ITEMS

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

1. Swear in Police Officer Dakota Hill
   - Mayor Williams swore in Officer Hill who was presented his badge by his uncle, Agent Fletcher Hill.

2. Swear in Fire Chief Bob Roesky
   - Mayor Williams swore in Chief Roesky who was presented his badge by his wife, Robyn.

G. COMMENTS FROM THE PUBLIC – MOVED TO END OF MEETING

- Jim Falkner, 1014 W. 3rd Street, commented on the good condition of Hillcrest Golf Course.
- Jim C. Taylor, Sr., read two letters to commissioners requesting KDHE be asked to inspect storm water entry and exit from his property on Woodland, and if the permits requested by the city are in compliance. He also asked for a list of businesses contacted about delivering fill material to his property. Taylor was directed to discuss the matter with City Attorney Paul Kritz.

H. OLD BUSINESS

1. Ordinance No. S-16-11 – Second Reading of an Ordinance to authorize the levy of a one-half percent city-wide retailers sales tax (2016 Health Care Sales Tax).
   MOTION: Move to approve Ordinance No. S-16-11 for adoption.

   ACTION: MOTION BY WILLIAMS SECOND: BAUER
   ROLL CALL VOTE ALL AYE EXCEPT TAYLOR WHO WAS ABSENT

2. Resolution No. R-16-117 – A Resolution to execute an agreement with Jeff Graham Construction to replace the office area roof on the Recreation Center.
   MOTION: Move to approve Resolution No. R-16-113 for adoption.

   ACTION: MOTION BY WILLIAMS SECOND: NONE
   MOTION APPROVED

I. NEW BUSINESS

1. Resolution No. R-16-118 – A Resolution to approve a license agreement with Zayo Group, LLC, for use of city rights of way for construction of a fiber optic line.
   - Engineering Superintendent Thomas Osborn stated Zayo is constructing a fiber optic trunk line from Dallas to Omaha, and they need to cross city property to get around the wastewater treatment plant. The line will also run on the east side of CR 5300 near Walmart. Zayo will pay $50 per rod per year.

   MOTION: Move to approve Resolution No. R-16-118 for adoption.

   ACTION: MOTION BY MARTIN SECOND: KASTLER
   MOTION APPROVED

2. Resolution No. R-16-119 – A Resolution to purchase an excavator and trailer for the Stormwater Department.
   - Public Works Deputy Director Jim Bradshaw reported bids were solicited for an excavator and trailer for the stormwater department. The low bidder did not meet the specifications and staff recommended the equipment be purchased from White Star Machinery & Supply of Wichita for $76,800. Commissioners expressed an interest in looking at leasing equipment in the future.

   MOTION: Move to approve Resolution No. R-16-119 for adoption.

ACTION: MOTION BY KASTLER SECOND: WILLIAMS
MOTION APPROVED

3. Resolution No. R-16-120 – A Resolution to issue a work order to Sterling Construction for painting and deck repairs at the Aquatic Center.
   - Public Works Deputy Director Jim Bradshaw reported companies were contacted about painting and repairing the Aquatic Center. Sterling Construction was the low bidder at $54,100, and they will begin the project in two weeks.

   MOTION: Move to approve Resolution No. R-16-120 for adoption.

   ACTION: MOTION BY MARTIN SECOND: BAUER
   MOTION APPROVED

4. Resolution No. R-16-121 – A Resolution to execute Change Order #04 with Doherty Steel for the Electric Utility.
   - Electric Utility Deputy Director Mike Shook stated this change order for the new power plant is with Doherty Steel in the amount of $4,699.

   MOTION: Move to approve Resolution No. R-16-121 for adoption.

   ACTION: MOTION BY WILLIAMS SECOND: BAUER
   MOTION APPROVED

5. Resolution No. R-16-122 – A Resolution to execute Change Order #07 with CCC Group for the Electric Utility.
   - Electric Utility Deputy Director Mike Shook stated this change order for the new power plant is with CCC Group in the amount of $44,360.92.

   MOTION: Move to approve Resolution No. R-16-122 for adoption.

   ACTION: MOTION BY WILLIAMS SECOND: BAUER
   MOTION APPROVED

6. Resolution No. R-16-123 – A Resolution to execute an agreement with Ruhrpumpen for repairs to the boiler feed pump at the Electric Utility.
   - Electric Utility Deputy Director Mike Shook stated the boiler feed pump failed on unit #7; emergency repairs were made to enable the unit to be put back in service. The repairs were $52,744.

   MOTION: Move to approve Resolution No. R-16-123 for adoption.

   ACTION: MOTION BY WILLIAMS SECOND: MARTIN
   MOTION APPROVED

7. Resolution No. R-16-124 – A Resolution to execute an employment agreement with City Manager Kendal Francis.

- City Attorney Paul Kritz stated the employment agreement with Francis is for 24 months ending August 31, 2018; it includes a modest pay increase and enhances the severance pay from three to four months.

MOTION: Move to approve Resolution No. R-16-124 for adoption.

ACTION: MOTION BY MARTIN SECOND: KASTLER
MOTION APPROVED

8. City Manager's Report
   - City Manager Kendal Francis thanked the commission for extending his contract. He reported all chapters of the ordinances had been sent to Municode, and suggested a work session be held on Monday, October 17, 6 p.m., for a review. The November 8 meeting needs to be rescheduled due to the Senior Center being a polling place; meeting will be held on November 7. He also reported he has a meeting with the administrators of Independence, Caney and Cherryvale along with County Commissioner Larry McManus scheduled for October 3; groundbreaking for the police/fire facility is November 1, 4 p.m.; Shoe Sensations will be locating in the Westside Shopping Center; Fitch and S&P both confirmed their BBB+ ratings for the electric utility bonds.
9. Comments from Commissioners and Staff
   - Mayor Williams encouraged everyone to attend Dalton Defenders Days and requested an update on the boiler explosion. Mike Shook reported the damage was still being assessed, however, it was not as extensive as previously thought; it was being turned over as an insurance claim. Williams also stated he wanted employees who retire from the city to be presented with a plaque.
   - Commissioner Martin thanked staff for assistance with the Coffeyville Street Drags. It was a success, and the next one will be held April 29.

J. EXECUTIVE SESSION(s)

MOTION: Move to recess to executive session for the discussion of items that would be deemed confidential in attorney-client privilege to reconvene on or before 7:50 p.m.

ACTION: MOTION BY WILLIAMS SECOND: MARTIN
MOTION APPROVED

Time the meeting was reconvened: 7:50 p.m.

MOTION: Move to recess to executive session for the discussion of non-elected personnel to reconvene on or before 8:10 p.m.

ACTION: MOTION BY WILLIAMS SECOND: MARTIN
MOTION APPROVED

Time the meeting was reconvened: 8:10 p.m.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales and property tax report
2. Library Minutes
3. CRC Update
4. Letter from McDonalds regarding truck parking

L. ADJOURN

MOTION: Move to adjourn.

ACTION: MOTION BY WILLIAMS SECOND: MARTIN
MOTION APPROVED

Time the meeting was adjourned: 8:10 p.m.

Date the minutes were approved: 10/11/16

Cindy Price

Cindy Price, City Clerk