

**REGULAR COMMISSION MEETING MINUTES**  
**TUESDAY, NOVEMBER 14, 2006**  
**6:30 P.M.**

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

Those in attendance were:

COMMISSIONER RICHARD GONZALES  
COMMISSIONER ALEC HENDRYX  
COMMISSIONER VIRGIL O. HORN., JR.  
COMMISSIONER LOUIE HUMMEL

City Staff in attendance were:

CITY MANAGER JEFF MORRIS  
CITY CLERK CINDY PRICE  
CITY ATTORNEY PAUL KRITZ  
FINANCE DIRECTOR STEPHANIE RICHARDSON  
PUBLIC WORKS DIRECTOR CHUCK SHIVELY  
FACILITIES MANAGER CHRIS DRUM  
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA  
PLANNER/ARCHITECT DENNIS JACOBS

- A. CALL TO ORDER** – Mayor York
- B. INVOCATION** – Dr. Wayne Norton, First Baptist Church
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. MINUTES**
1. Regular City Commission Meeting Minutes – Tuesday, October 24, 2006  
ACTION: Approved as presented
- E. APPROPRIATION ORDINANCE(s).**
1. 2006 Appropriation Ordinance No. AO-06-29 – \$943,284.04  
MOTION: Move to approve Appropriation Ordinance No. AO-06-29 in the total amount of \$943,284.04 for adoption.  
  
ACTION: THE MOTION WAS MADE BY MAYOR YORK AND SECONDED BY COMMISSIONER HUMMEL. ROLL CALL VOTE - ALL AYE.
- F. PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).**
- G. OTHER BUSINESS**
1. Comments by the Public
- H. OLD BUSINESS**
1. Charter Ordinance No. 26 – Second Reading of a Charter Ordinance to establish a Storm Water Utility for the City of Coffeyville.
    - Discussion was held on the fee for the storm water utility, if it would be charged on every water account as the sewer is now and whether the fee would be charged when a property was empty and the utilities were on minimal usage. These items will be addressed by a policy.

**MOTION:** Move that Charter Ordinance No. 26 be passed to Second Reading and approved for adoption.

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

**I. NEW BUSINESS**

1. Ordinance No. S-06-17 – First Reading of an Ordinance to rezone 710-712 Spring.

■ Planner/Architect Dennis Jacobs addressed the Commission stating Bernie Cevera, representing the City of Coffeyville submitted a request to rezone 710-712 South Spring Street from Service Commercial to Light Industrial District for the purpose of constructing and operating an Emergency Generator station for the Electric Utility Department. The Planning Commission voted unanimously in favor of request.

**MOTION:** Move that Ordinance No. S-06-17 be approved for First Reading.

**ACTION:** THE MOTION WAS MADE BY MAYOR YORK AND SECONDED BY COMMISSIONER GONZALES. ROLL CALL VOTE – ALL AYE.

2. Ordinance No. S-06-18 – First Reading of an Ordinance to rezone 703 North Cline.

■ Planner/Architect Dennis Jacobs addressed the Commission stating Scott Massman, representing the City submitted a request to rezone 703 North Cline from Multiple Family Residential to Service Commercial District for the purpose of allowing the sale of lots and construction of a Business and Professional Office facility. A restrictive covenant to prohibit residential use will be placed on this property. The Planning Commission voted unanimously in favor of the request. Responding to a question about storage buildings going up on the south lot of the property, Jacobs stated it is up to the property owners on the adjacent property to request a screening be placed.

**MOTION:** Move that Ordinance No. S-06-18 be approved for First Reading.

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

3. Resolution No. R-06-97 – A Resolution to approve the final plat of Mansion Estates No. 2, 2001 South Walnut, in the City of Coffeyville.

■ Planner/Architect Dennis Jacobs addressed the Commission stating a request was received from Bill Liggett, representing Medlen Homes, to submit for approval the Final Plat for Phase 1, Mansion Estates No. 2 located on South Walnut, with the intention to construct and sell single family residential housing. City staff spent several months working with the contractor to develop the former Mansion Estates Mobile Home site for single family housing. Several meetings were held to determine the scope of work and design for the infrastructure necessary to accommodate approximately 49 individual lots and open park area, along with required streets and utility easements. The Preliminary Plat was presented to the Planning Commission on September 27 meeting, and it was approved with agreed upon variances per City ordinances. Once a Preliminary Plat is reviewed and approved a Final Plat must be submitted plus subdivision development drawings must be submitted to the State of Kansas as well as Montgomery County officials.

**MOTION:** Move that Resolution No. R-06-97 be approved for adoption.

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

4. Resolution No. R-06-98 – A Resolution to execute a construction contract with Midwest Fence & Construction Co. for construction of a post and cable fence at Hillcrest Golf Course.
  - Public Works Director Chuck Shively addressed the Commission stating bids were received earlier this year to install approximately 11,205 feet of post and cable fence at the golf course to deter vandalism caused by vehicles entering the golf course property and causing damage to fairways and greens. The proposed project consists of setting approximately 934 5-inch x 5-foot posts approximately two feet deep at 12 foot spacing and attaching the cable to the posts with staples. The bid was for installation only as the City will provide the materials. Much of the work will be rock excavation. Two bids were received with Frazier Fencing the low bid of \$7,983.50. Midwest Fence submitted a bid of \$28,680. Frazier was offered the bid, however, he determined after reviewing the project and his bid that he would not be able to complete the project for the bid price. Frazier reviewed the project and proposed an estimated cost to be \$23,350. Staff determined the project should be re-bid. Three bids were received with Frazier Fencing the low bidder at \$18,358. Staff recommended that Midwest Fence be awarded the bid at their price of \$21,880 due to the bid irregularities and the fact that Midwest has greater manpower and equipment resources available to complete the project in a timely manner.
  - Gary Frazier addressed the Commission later in the meeting stating his company is very supportive of the local community, and he was not fully aware of the scope of the project at the time it was first bid.

**MOTION:** Move that Resolution No. R-06-98 be approved for adoption.

**ACTION:** THE MOTION WAS MADE BY COMMISSIONER HUMMEL AND SECONDED BY COMMISSIONER GONZALES. ROLL CALL VOTE – ALL AYE.

5. Resolution No. R-06-99 – A Resolution to execute an Engineering Services Agreement with Allgeier, Martin & Associates.
  - Public Works Director Chuck Shively addressed the Commission stating this agreement is a retainer contract for civil engineering services, which includes water, wastewater, stormwater, drainage, streets, structural, etc. The contract does not authorize any specific work to be performed by AMA or any related expense to the City. Any services would be specifically requested by City staff.

**MOTION:** Move that Resolution No. R-06-99 be approved for adoption.

**ACTION:** THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER HENDRYX. ROLL CALL VOTE – ALL AYE.

6. Resolution No. R-06-100 – A Resolution to execute a contract with Warner Sound and Video For improvements to the visitors' side sound system at Veterans Memorial Stadium.

- Public Works Director Chuck Shively addressed the Commission stating this contract is for improvements to the visitors' side sound system at Veterans Memorial Stadium. This will be funded from the pooled fund (City, Coffeyville Community College and U.S.D. 445) set up for improvements at the stadium. The work should be completed prior to the Dalton Defenders Bowl Game.

MOTION: Move that Resolution No. R-06-100 be approved for adoption.

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

7. Ordinance No. G-06-09 – First Reading of an Ordinance to incorporate a Minimum Standard for Structure Code for the City of Coffeyville.
  - City Attorney Paul Kritz addressed the Commission stating this ordinance would adopt a minimum standard for commercial and retail buildings and is similar to the standard housing code recently adopted. Following discussion, it was determined that City Inspector Jim Hayes would be asked to further review the code to see if there is already something established through the building, plumbing and electrical codes already in place by the city.

Action on this item was postponed to allow staff additional time for review.

8. Comments from Commissioners or Staff
  - Electric Utility Director Bernie Cevera provided an update on the power supply requests for proposal schedule and development of power supply and transmission options.

**J. EXECUTIVE SESSION(s)**

1. Non-elected personnel
2. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship

MOTION: Move to adjourn to Executive Session for discussion on non-elected personnel and consultation with an attorney on matters that would be deemed privileged in attorney-client relationship to reconvene on or before 8:45 p.m.

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

Mayor York stated no action would be taken as a result of the executive session.

TIME THE MEETING WAS RECONVENED: 8:45 P.M.

MOTION: Move to adjourn to Executive Session for discussion on non-elected personnel and consultation with an attorney on matters that would be deemed privileged in attorney-client relationship to reconvene on or before 9:05 p.m.

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

TIME THE MEETING WAS RECONVENED: 9:05 P.M.

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MOTION: Move to adjourn to Executive Session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship to reconvene on or before 10:15 p.m.

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

TIME THE MEETING WAS RECONVENED: 10:15 P.M.

**K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES**

1. Finance Department – Sales & Property Tax Reports
2. Police Department – October Report
3. Inspections Department Reports
4. Notice of current board openings
5. Notice of Innovative Housing for Rural Kansas Conference
6. Correspondence from Leadership Coffeyville
7. Correspondence from Congressman Todd Tiahr
8. Correspondence from Class LTD
9. Correspondence from CCC regarding Red Raven Christmas
10. CRMC Monthly report

**L. ADJOURNMENT**

MOTION: Move to adjourn.

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

Time the meeting was adjourned: 10:55 p.m.

The next meeting will be held Tuesday, November 14, 2006

Date the Minutes were approved \_\_\_\_\_

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Cindy Price, City Clerk