

REGULAR COMMISSION MEETING MINUTES
THURSDAY, DECEMBER 23, 2008
6:30 P.M.

The Board of Commissioners met in Regular Session at 6:30 p.m. with Vice Mayor Richard Gonzales, presiding.

Those in attendance were:

COMMISSIONER ALEC HENDRYX
COMMISSIONER PAM JONES
COMMISSIONER RJ WARREN, via phone

Those absent were:

MAYOR VIRGIL HORN

City Staff in attendance were:

CITY MANAGER JEFF MORRIS
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR STEPHANIE RICHARDSON
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA
CODE INSPECTOR LARRY TROTTER
ELECTRIC UTILITY INTERCONNECTED OPERATOR STEVE MCGIE
IT MANAGER CHRIS FELIX

A. CALL TO ORDER – Vice Mayor Gonzales

B. INVOCATION – Paul Kritz

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. CONSENT AGENDA ITEMS

1. Regular City Commission Meeting Minutes – Tuesday, December 9, 2008
2. 2008 Appropriation Ordinance No. AO-08-56 – \$ 3,183,780.22
3. 2008 Appropriation Ordinance No. AO-08-57 – (flood) \$ 34,319.00
4. Approval of 2009 Cereal Malt Beverage license applications
5. Resolution No. R-08-165 – A Resolution to approve the 2009 Montgomery County Fair Association CMB license
6. Resolution No. R-08-166 – A Resolution to issue a purchase order to Coffeyville Insurance Associates, agent for Ace Property & Casualty Company, for airport liability insurance
 - City Manager Jeff Morris stated the premium for this coverage is the same as 2008.
7. Resolution No. R-08-167 - A Resolution to issue a purchase order to Kansas Municipal Insurance Trust for workers compensation insurance for 2009.
 - City Manager Jeff Morris stated this is a 1.3% increase from last year, however, the City, due to its good experience modification, received a 20% discount from KMIT which saves \$50,000 per year.
8. Resolution No. R-08-168 – A Resolution to authorize membership in the Kansas Municipal Energy Agency's Mutual Aid Program.
 - City Manager Jeff Morris stated the membership in the KMEA Mutual Aid Program renews every three years.

MOTION: Move to approve the consent agenda as presented.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR HORN WHO WAS ABSENT.

REGULAR AGENDA ITEMS

E. APPROPRIATION ORDINANCE

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

1. Public Hearing to Amend the FY2008 Budget

■ Finance Director Stephanie Richardson addressed the Commission stating there are nine funds which require an amendment due to previously unbudgeted increases in revenue other than ad valorem property taxes. The funds requiring amendment are General Fund, Employee Benefit Fund, Bond & Interest Fund, Youth Activity Center fund, Sales Tax Bond Debt Service Fund, USD 445 Sales Tax Fund, Internet Fund, Stormwater Utility Fund and Water/Wastewater Utility Fund.

2. Resolution No. R-08-164 – A Resolution to certify the 2008 budget amendments.

MOTION: Move to approve Resolution No. R-08-164 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER HENDRYX AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR HORN WHO WAS ABSENT.

G. OTHER BUSINESS

H. OLD BUSINESS

I. NEW BUSINESS

1. Resolution No. R-08-169 – A Resolution to issue a purchase order to Palmerton & Parrish, Inc., for geotechnical services for the Electric Utility Department.

■ Electric Utility Director Bernie Cevera addressed the Commission stating bids were requested for geotechnical services including performing soil borings, testing the soil, and preparing a detailed report for five separate locations in Coffeyville as a result of transmission line relocations. Three bids were received with Palmerton & Parrish being the lowest.

MOTION: Move to approve Resolution No. R-08-169 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR HORN WHO WAS ABSENT.

2. Resolution No. R-08-170 – A Resolution to issue a purchase order to Altec for a trouble truck for the Electric Utility Distribution Department.

■ Electric Utility Director Bernie Gonzales addressed the Commission stating three bids were received for a bucket truck to be used as the trouble truck for the Electric Utility

Department. The current truck is ten years old and has 109,681 miles on it. Staff recommends accepting the Altec bid at \$157,162.

MOTION: Move to approve Resolution No. R-08-170 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER HENDRYX. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR HORN WHO WAS ABSENT.

3. Resolution No. R-08-171 – A Resolution to establish a reconnect service fee for Coffeyville Wireless Internet.

- IT Manager Chris Felix addressed the Commission stating this resolution establishes a \$25 fee to reconnect a wireless customer whose service has been shut off for non payment of services.

MOTION: Move to approve Resolution No. R-08-171 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER WARREN. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR HORN WHO WAS ABSENT.

4. Resolution No. R-08-172 – A Resolution to execute a grant agreement with Kansas Housing Resources Corporation.

- City Manager Jeff Morris addressed the Commission stating the City of Coffeyville was awarded a \$1.5 million grant for new infrastructure to support new housing in Coffeyville. As originally submitted, the grant was to fund infrastructure in the Rolling Hills development. The developer has turned their tax credits back to the state, thus ending plans to build either multi family or single family housing at First and Overlook. The Kansas Housing Resource Corporation has indicated alternate locations can be developed, however, the City needs to get their plans in by the end of the year. Three projects will be submitted in no particular order; two of these projects (Edgewood/Gibson/Grandview and South Walnut) were included in the original application. A third area, 3rd and Cheyenne, has been added. These three projects total \$3,437,000 and would provide infrastructure for 134 building lots.

MOTION: Move to approve Resolution No. R-08-172 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR HORN WHO WAS ABSENT.

5. Comments from Commissioners and Staff

- City Manager Jeff Morris reported the following:
 - Wal-Mart has purchased the building permit for their new SuperCenter.
 - Staff is working on a list of areas for proposed annexation; Morris and Dennis Jacobs will meet with the planning consultants right after the first of the year.
 - Verified with Commission they want to adhere to the City's resolution stating no water and sewer would be extended outside the city limits unless the property was annexed.

- Montgomery County met with Coffeyville Resources and reached a settlement on their tax appeal. The CRNF tax appeal is still on the table.

6. Comments from the Public

- Chris Hendryx, 302 Highland Road, asked about plans for houses.
- Jim Taylor passed out information regarding the KHRC grant and asked for clarification on the Dalmark proposal for First and Overlook; Dalmark has returned tax credits to the state.

J. EXECUTIVE SESSION(s)

1. Non-elected personnel
2. Attorney-Client Privilege

MOTION: Move to adjourn to Executive Session for discussion of non-elected personnel and items that would be considered privileged in attorney client relationship to reconvene on or before 8:00 p.m.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR HORN WHO WAS ABSENT.

TIME THE MEETING WAS RECONVENED: 8:00 p.m.

Commissioner Richard Gonzales n stated no action would be taken as a result of the Executive Session.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. CRMC – December Board Meeting Information
2. Communication from Allied Waste

L. ADJOURNMENT

MOTION: Move to adjourn.

ACTION: THE MOTION WAS MADE BY COMMISSINER GONZALES AND SECONDED BY COMMISSIONER HENDRYX. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR HORN WHO WAS ABSENT.

TIME THE MEETING WAS ADJOURNED: 9:00 p.m.

Date the minutes were approved _____

Cindy Price, City Clerk