

**RESCHEDULED COMMISSION MEETING MINUTES**  
**MONDAY, DECEMBER 20, 2010**  
**5:30 P.M.**

The Board of Commissioners met in Regular Session at 5:30 p.m. with Mayor Alec Hendryx presiding.

Those in attendance were:

COMMISSIONER DAVID GEORGE  
COMMISSIONER RICHARD GONZALES  
COMMISSIONER PAM JONES  
COMMISSIONER JIM C. TAYLOR, SR.

City Staff in attendance were:

CITY MANAGER JEFF MORRIS  
CITY CLERK CINDY PRICE  
CITY ATTORNEY PAUL KRITZ  
FINANCE DIRECTOR STEPHANIE RICHARDSON  
IT MANAGER CHRIS FELIX  
ENGINEERING SUPERINTENDENT SCOTT MASSMAN  
DEPUTY PUBLIC WORKS DIRECTOR JIM BRADSHAW  
ELECTRIC UTILITY DIRECTOR GENE RATZLAFF  
ARCHITECT/PLANNER DENNIS JACOBS  
CODE ENFORCEMENT OFFICER JOHN HUFFERD  
PUBLIC WORKS DIRECTOR CHUCK SHIVELY  
WATER SUPERINTENDENT EARL MENEFEE  
HOUSING DIRECTOR GAIL THOMAS  
INTERCONNECTED OPERATIONS MANAGER STEVE MCGIE  
ELECTRIC UTILITY SUPERINTENDENT MIKE SHOOK

- A. **CALL TO ORDER** – Mayor Alec Hendryx
- B. **INVOCATION** – Margie Miller, Crossroads Community of Christ
- C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. **REVIEW OF AGENDA**
- E. **CONSENT AGENDA ITEMS**
1. Regular City Commission Meeting Minutes – Tuesday, November 30, 2010
  2. 2010 Appropriation Ordinance No. AO-10-36 – \$959,443.98
  3. 2010 Appropriation Ordinance No. AO-10-37 (flood) – \$ 67,658.87
- 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
- REGULAR AGENDA ITEMS**
- F. **PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).**
1. Report on Public Hearing held December 14, 2010

2. Ordinance No. S-10-08 – First Reading or an ordinance to vacate a portion of a platted alley and maintain a public utility easement in Block 32, Original City of Coffeyville (between 100 blocks of East Sixth and East Seventh Street).

**MOTION:** Move to approve Ordinance No. S-10-08 for First Reading.

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

**G. COMMENTS FROM THE PUBLIC**

- Mary Wilson, 207 West New, made positive comments about the Christmas Parade.
- Yvonne Hull, Coffeyville Area Chamber of Commerce, thanked Commissioners and City Departments for their participation in Christmas Parade.
- Charles Weed, 403 West Ninth, commented on Commissioner Taylor's letters in the Coffeyville Journal.

**H. OLD BUSINESS**

**I. NEW BUSINESS**

1. Discussion and action to approve 16 Cereal Malt Beverage applications for 2011.
  - There were 17 cereal malt beverage license renewals for 2011. Sixteen of those are for permanent locations and the 17<sup>th</sup> is for the Montgomery County Fair Association. All meet the requirements as set out by state statute for approval.

**MOTION:** Move to approve 16 Cereal Malt Beverage applications for 2011.

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

2. Resolution No. R-10-146 – A Resolution to approve the 2011 Cereal Malt Beverage application for the Montgomery County Fair Association.

**MOTION:** Move to approve Resolution No. R-10-146 for adoption.

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

3. Resolution No. R-10-147 – A Resolution to identify preferred vendors for chemicals to be used at the Water Treatment Plant during FY 2011.
  - Public Works Director Chuck Shively addressed the Commission stating the City of Coffeyville solicited bids for Water Treatment Plant Chemicals for 2011. Staff recommends designating the low bidder as the preferred vendor for each chemical except the fluoride and the cationic polymer. The low bidder for fluoride stated there would be a service charge added per invoice making the total cost higher. Previously the plant had problems finding a polymer that performs well in our water; the current polymer works very well and staff believes the relatively small cost difference does not justify jeopardizing the quality of the finished drinking water.

- Mayor Hendryx stated the City of Coffeyville does not need to spend the money to put fluoride in the water. Shively shared some information he has on the benefits of fluoride. He stated the resolution for commissioners is just to identify the preferred vendors; they can determine at a later meeting if they wish to discontinue the fluoride.

MOTION: Move to approve Resolution No. R-10-147 for adoption.

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

4. Resolution No. R-10-148 – A Resolution to issue a purchase order to Coffeyville Insurance Associates for Airport Liability Insurance.
  - The bid received for airport liability insurance is a flat renewal from last year's premium at \$2,053.

MOTION: Move to approve Resolution No. R-10-148 for adoption.

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

5. Resolution No. R-10-149 – A Resolution to issue a purchase order to Kansas Municipal Insurance Trust for Workers Compensation Insurance.
  - The renewal premium for workers compensation insurance for 2011 is \$187,236 which is a .75% decrease over last year.

MOTION: Move to approve Resolution No. R-10-149 for adoption.

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

6. Resolution No. R-10-150 – A Resolution to support a Housing Tax Credit Application for rehabilitation of the Coffeyville Garden Apartments.

- City Manager Jeff Morris addressed the Commission stating in January of 2009 the City Commissioners approved a resolution of support for a tax credit project for the renovation of the Garden Apartments to Vintage Construction. They were not awarded the tax credits until this year. The resolution of support has expired and Vintage Construction is requesting the support be renewed and that 100% of the 60 units be eligible for low income housing tax credits. Mark Cox, one of the developers in the Coffeyville Garden Apartment project, was planning to attend the meeting, however, his schedule did not allow him to make the rescheduled meeting. His letter describes the project as 60 units total; 10 one bedroom, 40 two bedroom and 10 three bedroom units. The development budget is approximately \$4.2 million and every unit will undergo a substantial rehabilitation. All mechanical plumbing and electrical systems will be replaced and the exterior will get a complete facelift. The complex will have an on site manager. The project could be started as early as the summer of 2011.

**MOTION:** Move to approve Resolution No. R-10-150 for adoption.

**ACTION:** THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TAYLOR WHO VOTED NO.

7. Resolution No. R-10-151 – A Resolution to declare the boundary lines and city limits of the City of Coffeyville.

- State statute requires a resolution to be passed if the boundary lines of a city change; during 2010, the City of Coffeyville annexed the Big Chief RV Park property.

**MOTION:** Move to approve Resolution No. R-10-151 for adoption.

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

8. Resolution No. R-10-152 – A Resolution to execute an Engineering Services Contract with Allgeier, Martin & Associates for KLINK project 169-63U-0027-01 on South Walnut.

- Engineering Superintendent Scott Massman addressed the Commission stating the 2012 KLINK project was approved for funding and will consist of concrete rehabilitation and a nova chip overlay on Highway 169 between 15<sup>th</sup> Street and the south city limits. Four proposals were received from engineering firms. After evaluation, the selection committee recommended awarding the contract to Allgeier Martin and Associates for a not-to-exceed fee of \$23,929.

**MOTION:** Move to approve Resolution No. R-10-152 for adoption.

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

9. Resolution No. R-10-153 – A Resolution to purchase a 2011 Chevy One-Ton Service Truck with Service Body for Water/Wastewater Distribution & Collection Department.

- Deputy Public Works Director Jim Bradshaw addressed the Commission stating replacement of one service truck for the Water/Wastewater Distribution & Collection Department was budgeted for \$40,000 and bid specs were sent to seven dealers in the area. Staff recommends purchasing the truck from Romans Motor Co. for \$39,965.

**MOTION:** Move to approve Resolution No. R-10-153 for adoption.

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

10. Resolution No. R-10-154 – A Resolution to purchase two John Deere tractors and one 7' sickle bar attachment for the Public Service Department and the Wastewater Treatment Plant.

- Deputy Public Works Director Jim Bradshaw addressed the Commission stating two

tractors have budgeted; one for Public Service and the other for the Wastewater Treatment Plant. Bids were received from four area dealers. Following review, staff has determined the tractors quoted from O'Malley Equipment meet the City's needs. One will have a 7' sickle mowing bar attachment. Both will have a two-year or 2000 hour warranty and the attachment will have a one-year warranty. The purchase price for the two tractors and one sickle bar is \$54,506. The tractors will be utilized for mowing right of ways and easements and the area in and around the Wastewater Treatment Plant. Mayor Hendryx had concerns the tractors were not speced out correctly and would not meet the City's needs and requested the item be tabled. Bradshaw stated the tractors were replacing similar tractors which had been in service for 17 years and met the needs.

**MOTION:** Move to approve Resolution No. R-10-154 for adoption.

**ACTION:** THE MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR HENDRYX WHO VOTED NO.

11. Resolution No. R-10-155 – A Resolution to issue a purchase order to ACM Removal for Asbestos Inspection for eight properties.

- Code Enforcement officer John Hufferd addressed the Commission stating bids were solicited for asbestos inspection for eight properties and for the removal of asbestos from 12 properties. ACM Removal was the low bidder for both; they have previously provided good work for the City.

**MOTION:** Move to approve Resolution No. R-10-155 for adoption.

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

12. Resolution No. R-10-156 – A Resolution to issue a purchase order to ACM Removal for Asbestos Removal for 12 properties.

**MOTION:** Move to approve Resolution No. R-10-156 for adoption.

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

13. Resolution No. R-10-157 – A Resolution to issue a purchase order to Environmental Systems Research Institute for a license to host the GIS Mapping System on the City's website.

- Interconnected Operations Manager Steve McGie addressed the Commission stating the City recently contracted with Midland GIS Solutions to update the GIS field data for the Electric Utility to locate and install the field data for the Water/Wastewater Department. This license will purchase the server and licenses to host the mapping system on the City's server.

**MOTION:** Move to approve Resolution No. R-10-157 for adoption.

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

14. Resolution No. R-10-158 – A Resolution to approve the final rehabilitation costs for 1512 South Maple.

- Housing Director Gail Thomas addressed the Commission stating the house at 1512 S Maple is complete with a final project cost of \$71,931. The final change order included additional paint and the construction of closets. George stated the City has way too much money tied up in the house. Thomas reported they are looking at acquiring 615 West Fourth and 1406 Velma Drive.

**MOTION:** Move to approve Resolution No. R-10-158 for adoption.

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

15. Resolution No. R-10-159 – A Resolution to implement a January 1, 2011, through December 31, 2011 Personnel Manual Memorandum of Agreement with IAFF and IBEW and the wage increases for non-represented employees except the City Manager.

- City Manager Jeff Morris addressed the Commission stating two of four bargaining units have accepted the memorandum of agreement which contains a 2.5% wage increase for all non-represented employees except the City Manager.

**MOTION:** Move to approve Resolution No. R-10-159 for adoption.

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

16. Resolution No. R-10-160 – A Resolution to execute an agreement with the Kansas Department of Transportation for the 2012 STP Project on Cline Road.

- Engineering Superintendent Scott Massman addressed the Commission stating the City has received approval of a FY 2012 STP project on Cline from Eighth Street to Woodland which will consist of full depth replacement of the existing asphalt road with a new concrete surface and widening of the intersection at Eighth and Cline. The City is working to get a traffic light at Eighth and Cline included.

**MOTION:** Move to approve Resolution No. R-10-160 for adoption.

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

17. Discussion and action to set a public hearing for the purpose of amending the FY2010

Budget.

MOTION: Move to set a public hearing for the purpose of amending the FY2010 Budget on December 28, 2010, at 6:30 p.m.

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

18. Discussion and action to appoint one person to a three-year term on the Planning Commission serving to January 1, 2014.

*Applicant: Josh Mecom*

MOTION: Move to appoint Josh Mecom to a three-year term on the Planning Commission serving to January 1, 2014.

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

19. Resolution No. R-10-161 – A Resolution to authorize the cancellation of outstanding refund checks for water and light security deposits in the amount of \$6,511.09.

- Finance Director Stephanie Richardson addressed the Commission stating security deposits are collected and deposited into a separate Water & Light Refund Account. Checks are written from this account if a residential customer has made timely payments for an entire year or if a customer has closed their account and the security deposit has been applied to the last bill and the deposit was greater than the bill. According to state statute, all outstanding refund checks may be placed in the operating funds of such utilities if the money has remained on deposit for more than three years from the date service was discontinued; no demand for the money has been made, the whereabouts of the person is unknown and a reasonable effort has been made to locate them. Following the expiration of the three-year period, the City must publish once each week for two consecutive weeks a notice listing any person whose deposit remains on account and demand for the money must be made within 60 days. The City has four groups of outstanding water and light refund checks; all criteria has been met to cancel the outstanding refund checks in the amount of \$6,511.09

MOTION: Move to approve Resolution No. R-10-161 for adoption.

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

20. Resolution No. R-10-162 -- A Resolution to issue a purchase order for a sewer cleaner for an Aquatech Front Reel High Pressure Combination Sanitary Sewer Cleaner for the Wastewater Collection Department.

- Deputy Public Works Director Jim Bradshaw addressed the Commission stating since 2007, funds have been included in the Wastewater Depreciation & Replacement Equipment Fund to replace an existing high pressure sanitary sewer cleaner that was

purchased in 1999. Bids were received from five vendors; after evaluation the three low bidders were contacted in order to test and evaluate their equipment. Staff has determined the Aquatech Model B-10 Front Reel Mounted High Pressure Sanitary Sewer Cleaner meets the City's needs.

**MOTION:** Move to approve Resolution No. R-10-162 for adoption.

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

21. Resolution No. R-10-163 – A Resolution to approve an agreement with the Kansas Department of Wildlife & Parks for the Community Assistance Fisheries Program.

- Deputy Public Works Director Jim Bradshaw addressed the Commission stating in 2006 the City entered into an agreement with the Kansas Department of Wildlife and Parks program "Community Fisheries Assistance Program." The KDWP leases the fishing rights to the LeClere Lake from the City for \$1,030; the City receives priority status for fisheries management services such as stocking, feeding, habitat assistance and grant opportunities. In return the City must document operation and maintenance spending on the lake area of at least 75% of the annual lease payment. KDWP requested the lease renewal be extended; staff is recommending ten years. The agreement includes an amendment which acknowledges the City can maintain the separate trout program.

**MOTION:** Move to approve Resolution No. R-10-163 for adoption.

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

22. Resolution No. R-10-164 – A Resolution to execute an agreement with Asplundh Tree Expert Co. to provide line clearance services for the City of Coffeyville.

- Electric Utility Director Gene Ratzlaff addressed the Commission stating the City is once again contracting with Asplundh for tree trimming services. The 2011 hourly rate is \$81.95 an increase from \$80.34 for 2010.

**MOTION:** Move to approve Resolution No. R-10-164 for adoption.

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

23. Resolution No. R-10-165 – A Resolution to execute a Professional Services Agreement with Roy Criswell Engineering for the Electric Utility System.

- Electric Utility Director Gene Ratzlaff addressed the Commission stating since 2008, Criswell Engineering has been providing preventative maintenance work for the electric utility. Their 2011 service agreement is the same as in previous years in an amount not to exceed \$150,000.



**MOTION:** Move to approve Resolution No. R-10-165 for adoption.

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

24. Resolution No. R-10-166 – A Resolution to execute an agreement for operation of the Animal Shelter with the Coffeyville Friends of Animals.

- City Manager Jeff Morris addressed the Commission stating this renewal agreement with the Coffeyville Friends of Animals is the same as the existing one except it will be for an 18-month term. This date will coincide with the permit to operate the shelter from the State of Kansas.

**MOTION:** Move to approve Resolution No. R-10-166 for adoption.

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

25. Ordinance No. G-10-05 – An Ordinance amending Chapter 2 (Administration), Article II (Board of Commissioners), Section 2-27 (Quorum) of the Code of Ordinances of the City of Coffeyville.

- Mayor Hendryx addressed the Commission stating he is requesting adoption of the ordinance reducing the quorum for the city commission from four commissioners to three due to the recent decision of Commissioner Taylor to not attend meetings unless all commissioners are in attendance.
- Commissioner Taylor stated he is concerned that this ordinance will allow just two commissioners to make a major decision such as sell the light plant.

**MOTION:** Move to pass Ordinance No. G-10-05 for final passage on an emergency basis.

**ACTION:** THE MOTION WAS MADE BY COMMISSIONER TAYLOR AND SECONDED BY COMMISSIONER GEORGE. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TAYLOR WHO VOTED NO.

26. Discussion on Rental Standards

- Several Coffeyville landlords from Coffeyville including Gordon Burrows, Lyssa Bally, Larry Frederick, Stan Bryant and Keith Fouts all spoke about the proposed rental standards. Many commented our existing ordinances already cover the items in the rental standards and the City should not be discriminating against the landlords. There will be a special work session for the purpose of discussing the rental standards at 5:30 p.m., Tuesday, January 18.
- Commissioner Taylor read a statement he will not support implementation of any rental standards as we have the necessary ordinances already in place.

27. Comments from Commissioners and Staff

- City Manager Jeff Morris and Chamber Executive Director Yvonne Hull discussed an ad to be placed in the Kansas Economic Development Guide. It will be a three page ad with the four cities of Montgomery County along with MCAC sharing the cost at \$2,518 each. Commissioners approved participating in the cost of the ad by paying one-third of the Coffeyville share; the Chamber and Convention & Visitors Bureau will pay the balance.
- Commissioner George commented on the newly installed lights on Cline Road.
- Mayor Hendryx asked for an update on the house demolition project
- Commissioner Taylor asked about a report from the wireless utility

**J. EXECUTIVE SESSION(s)**

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

1. Sales tax report
2. Building permit report
3. Hillcrest Golf Course report
4. Correspondence from the State Historical Society regarding 702 Spruce

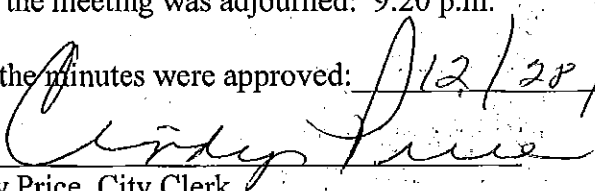
**K. ADJOURN**

MOTION: Move to adjourn.

ACTION: THE MOTION WAS MADE BY MAYOR HENDRYX AND SECONDED BY COMMISSIONER TAYLOR. ROLL CALL VOTE - ALL AYE.

Time the meeting was adjourned: 9:20 p.m.

Date the minutes were approved: 12/28/10

  
Cindy Price, City Clerk