

REGULAR COMMISSION MEETING MINUTES
TUESDAY, JANUARY 13, 2009
6:30 P.M.

The Board of Commissioners met in Regular Session at 6:30 p.m. with Mayor Virgil O. Horn, Jr., presiding.

Those in attendance were:

COMMISSIONER RICHARD GONZALES
COMMISSIONER ALEC HENDRYX
COMMISSIONER PAM JONES
COMMISSIONER RJ WARREN

City Staff in attendance were:

CITY MANAGER JEFF MORRIS
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR STEPHANIE RICHARDSON
FIRE CHIEF GREG ALLEN
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
PLANNER/ARCHITECT DENNIS JACOBS
ENGINEERING SUPERINTENDENT SCOTT MASSMAN
CODE ENFORCEMENT OFFICER LARRY TROTTER
IT MANAGER CHRIS FELIX
GOLF COURSE SUPERINTENDENT STEVE FOWLER

A. CALL TO ORDER – Mayor Horn

B. INVOCATION – Pastor Richard Peckham, St. Paul's Lutheran Church

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. CONSENT AGENDA ITEMS

1. Regular City Commission Meeting Minutes – Tuesday, December 23, 2008
2. Special City Commission Meeting Minutes – Wednesday, January 7, 2009
3. 2008 Appropriation Ordinance No. AO-08-58 – \$ 773,437.37
4. 2008 Appropriation Ordinance No. AO-08-59 – (flood) \$ 110,443.98

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

E. APPROPRIATION ORDINANCE

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

1. Presentation by Montgomery County Action Council
 - Brad Eilts, Executive Director of the Montgomery County Action Council, introduced himself and Board members present to Commissioners, reviewed the year just completed and provided results of economic endeavors in Montgomery County since 1994.

2. Resolution No. R-09-01 – A Resolution to approve the FY2009 Contract with Montgomery County Action Council.

- City Manager Jeff Morris addressed the Commission stating the contract for MCAC is the same as in previous years, \$15,680 annually. Commissioner Gonzales requested quarterly or semi-annual reports be provided by MCAC.

MOTION: Move to approve Resolution No. R-09-01 for adoption.

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

3. Public Hearing – Vacation of a portion of Center Street

- Engineering Superintendent Scott Massman addressed the Commission stating a petition was presented requesting a portion of Center Street be vacated south of 13th Street; the property is not currently being maintained as a street. Notices were sent to utilities regarding the request; no comments received.
- Mayor Horn opened the Public Hearing
- There being no comments, Mayor Horn closed the Public Hearing

4. Ordinance No. S-09-01 – First Reading of an Ordinance to vacate a portion of Center Street.

MOTION: Move to approve Ordinance No. S-09-01 for First Reading.

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

5. Proclamation – Martin Luther King, Jr., Day, January 19, 2009

- Mayor Horn read the proclamation

G. OTHER BUSINESS

H. OLD BUSINESS

1. Resolution No. R-09-02 – A Resolution to approve fees for Hillcrest Golf Course.

- City Manager Jeff Morris addressed the Commission stating this resolution represents the recommendations of the Task Force as presented to Commissioners in the special meeting held the previous week. The daily green fees will be increased, a senior citizen discount implemented and a junior rate added. The annual green fees will be increased approximately \$200 across the board, however, the \$2 per round fee currently charged will be discontinued. There will be a new student annual fee established. The annual membership fees will be set up to allow for ten payments; there will be a \$25 set up fee for those wishing to pay in installments. Commissioner Jones suggested a discount be given for those paying their membership fee in one payment.

MOTION: Move to approve Resolution No. R-09-02 for adoption.

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

I. NEW BUSINESS

1. Resolution No. R-09-03 – A Resolution of support for the Senior Services of Southeast Kansas application to the Kansas Department of Transportation.
 - Sandra Nielsen, Executive Director of Senior Services of Southeast Kansas, addressed the Commission stating Senior Services applies for a grant annually through the Kansas Department of Transportation. The grant requires a show of support from the communities served by transportation services.

MOTION: Move to approve Resolution No. R-09-03 for adoption.

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

2. Ordinance No. G-09-01 – First Reading of an Ordinance to approve the Fuel Gas Code.
 - Architect/Planner Dennis Jacobs addressed the Commission stating Atmos Gas, the gas utility for this area, has initiated a policy of requiring the City Inspection Office to be on-site for the inspection of all gas line installations and repairs to certify the tests of their integrity and completion prior to installing a gas meter. In the past this was performed by a licensed plumber only. The Plumbing Inspector now must visually approve the test and sign the plumber's inspection certificate before it is presented to the gas utility and gas service started. Adopting of the Fuel Gas Code will bring the City into compliance with the codes adopted or referenced by the State of Kansas, Office of the State Fire Marshal. It also establishes the fee which can be charged to the gas utility for gas line inspection.

MOTION: Move to approve Ordinance No. G-09-01 for First Reading.

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

3. Resolution No. R-09-04 – A Resolution to execute a final change order with Beachner Construction Co. for 11th Street pavement patching project.
 - Public Works Director Chuck Shively addressed the Commission stating in October, 2007, the City Commission approved a construction contract with Beachner Construction for repair of approximately 457 concrete joints on 11th Street between the west city limits and Walnut Street. The total cost of the project was \$574,670. After the project was begun it was found some sections were in much worse shape than originally thought. Options were pursued to reduce the cost of the project without compromising the final product which included reducing the width of some of the joints from six feet to five feet. Commissioners determined the entire project should be completed. Beachner Construction has completed the project including the crack sealing; they worked closely with the City to keep the project as close to what was originally bid as possible even to the point of donating material. The completed project totaled \$698,846.37; there is a one-year warranty on all joint repairs.

MOTION: Move to approve Resolution No. R-09-04 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND

SECONDED BY COMMISSIONER HENDRYX. ROLL CALL VOTE
-- ALL AYE

4. Resolution No. R-09-05 – A Resolution to execute a contract with Muller Construction for Elm Street improvements.

■ Engineering Superintendent Scott Massman addressed the Commission stating bids were requested for improvements to the east side of Elm Street between tenth and 11th Street. The project will improve a severely damaged street and curb and gutter section. Muller Construction submitted the low bid of \$53,776.

MOTION: Move to approve Resolution No. R-09-05 for adoption.

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

5. Resolution No. R-09-06 – A Resolution to authorize a construction contract with Strukel Electric for Runway End Identifier Light System at the Coffeyville Municipal Airport.

■ Engineering Superintendent Scott Massman addressed the Commission stating the FAA requested a new primary power supply to the proposed new Runway End Identifier Light (REIL) on the south end of runway 17-35 at the Coffeyville Municipal Airport. Strukel Electric submitted a cost of \$30,087; the FAA will fund this project with the only cost to the City being replacement of a ground mounted transformer to supply the proposed line.

MOTION: Move to approve Resolution No. R-09-06 for adoption.

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

6. Resolution No. R-09-07 – A Resolution to execute a construction contract with Tri-Star Utilities for the Penn Street Lift Station improvements.

■ Deputy Public Works Director Jim Bradshaw addressed the Commission stating the bids were received from four contractors for the Penn Street lift station which has been flooded two times; once in 1986 resulting in the city elevating the standby generator and extending the entrance tube to the lift station four feet. In 2007, the lift station flooded again causing severe damage to the generator and the pumps and controls. It was determined the lift station should be converted to submersible type pumps. Elevating the generator and pump controls would reduce the exposure in the event of another flood. Tri-Star Utilities was the low bidder at a cost of \$210,612. The City's share of this will be \$31,591.80.

MOTION: Move to approve Resolution No. R-09-07 for adoption.

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

7. Resolution No. R-09-08 – A Resolution authorize a change order with Mid-Con Construction for the retaining wall and walkway repair project.

■ Deputy Public Works Director Jim Bradshaw addressed the Commission stating Mid-Con Construction was contracted to repair the retaining wall located at the pump house at the Water Filtration Plant. The plans called for the contractor to stabilize the top of the wall by constructing a concrete cap to be held in place by dowel pins. While undergoing the repair, it was determined the integrity of the existing stone masonry was not stable enough to support the drilling action required to insert the dowel pins; therefore, a concrete footing had to be dug behind the existing wall and tied in place with additional steel before the new cap could be put in place. The cost for this repair is \$2,184.20; the City's portion is \$327.63.

MOTION: Move to approve Resolution No. R-09-08 for adoption.

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

8. Resolution No. R-09-09 – A Resolution to issue a purchase order to Kuhlman Electric Corporation for a transformer for the Electric Utility Department.

■ Electric Utility Director Bernie Cevera addressed the Commission stating due to problems encountered with Transformer No. 1 at the "A" Substation, the transformer will be replaced with a larger unit which matches the capacity of transformer No. 2 along with other minor improvements. Bids were requested and Kuhlman Electric submitted the lowest evaluated bid in the total amount of \$599,552.00. This will include delivery, field assembly and testing as well as spare gaskets and bushings.

MOTION: Move to approve Resolution No. R-09-09 for adoption.

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

9. Resolution No. R-09-10 – A Resolution to sign the FY 2009 Southwest Power Pool Confidentiality Agreement.

■ Electric Utility Director Bernie Cevera addressed the Commission stating in order to facilitate access to the Southwest Power Pool planning and modeling information, SPP is requiring the City of Coffeyville sign a confidentially agreement.

MOTION: Move to approve Resolution No. R-09-10 for adoption.

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

10. Resolution No. R-09-11 – A Resolution to execute a professional services agreement with Roy Criswell Engineering for the Electric Utility Department.

■ Electric Utility Director Bernie Cevera addressed the Commission stating the electric utility department maintains distribution and transmission substations, a distribution system and a generating plant. Each of these facilities contains a certain amount of

electrical apparatus or machinery that should receive preventative maintenance on a regularly scheduled basis to measure the overall condition of the equipment and hopefully detect and repair problems before they cause failures resulting in unplanned outages. Some of the preventative maintenance is performed by electric utility staff but some must be done by a contractor due to the expertise and specialized test equipment required. In 2008, Roy Criswell Engineering performed this work; the cost for work performed in 2009 will remain the same.

MOTION: Move to approve Resolution No. R-09-11 for adoption.

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

11. Discussion on the FY 2009 Coffeyville Area Chamber of Commerce Contract

- City Manager Jeff Morris addressed the Commission stating he and Cindy Price met with the Chamber's Executive Committee regarding the 2009 Professional Services Agreement. The agreement the City proposed was more specific as to special events the City requested the Chamber be involved with including Dalton Defenders Days, Christmas Parade and Fourth of July. The contract stated the Chamber would agree to market and promote the events, however, the Executive Board felt it would imply they were to organize these as well. The feedback they are getting from their members is there is too much involvement with the City, and the Chamber should focus more on areas that would benefit their membership more and bring people in for overnight stays. The Chamber requested the contract read "agree to market and promote the City of Coffeyville including community celebrations and events." Following discussion, the Commissioners determined they wished to meet as a whole group with the Executive Board to discuss the contract. They also requested rather than all five Commissioners be listed as City representatives on the Chamber membership roster, the Mayor and Vice Mayor be listed.

12. Resolution No. R-09-12 – A Resolution to execute a contract with ACM Removal for asbestos abatement on nine properties.

- City Inspector Larry Trotter addressed the Commission stating ACM Removal was the low bidder for asbestos removal on nine properties.

MOTION: Move to approve Resolution No. R-09-12 for adoption.

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

13. Resolution No. R-09-13 – A Resolution to issue a purchase order to Coffeyville Insurance Associates, agent for Ace Property & Casualty Company, for additional premium for airport liability insurance.

- Adam Gill from Coffeyville Insurance Associates addressed the Commission stating when the Commission approved the airport insurance bid at the December 23 meeting the quote presented was a verbal quote. When the written quote came in, the cost was \$108 higher.

MOTION: Move to approve Resolution No. R-09-13 for adoption.

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

14. Comments from Commissioners and Staff

- Cindy Price reported the Kansas Housing Resources Corporation and SRS are sponsoring a study of homelessness in Kansas and are looking for volunteers to assist with the count in Montgomery County on January 28. Three housing developers have contacted the City with plans to submit tax credit applications in February. Two of these will be for rehab projects at existing locations and one will be for new development. All three will make presentations to Commissioners at future meetings.
- Jeff Morris reported he and Dennis Jacobs met in Kansas City with Oschner, Hare & Hare, consultants working on the City's comprehensive plan. They are working on the annexation plan including the industrial park, the area around the new Wal-Mart and residential areas to the north and west. Staff is studying how any annexation in this area will affect services. While there, they viewed a neighborhood revitalization area that has been very successful in Independence, Missouri. It differs from the plan locally in that it is set up as a 20-year program with inspections every five years. The majority of the funding has been from private investment; the City has provided the infrastructure.
- Morris also reported the bids were opened for the Animal Shelter with the low bid being right at \$500,000. Crews are working on the streets full time and are currently on South Walnut. We are looking for another arrow board so work can commence on the inside lanes. The work on the Kelly Temporary building is 90% complete; foreclosure has begun on the property which takes approximately 90 days. The Wal-Mart utility extensions are underway; bids will be opened on February 4, 2009, for the Highway 169 System Enhancement project; the flood buyout for three properties in flood zone A is complete.
- Commissioners Hendryx suggested changing the stop sign on West Eighth Street where 8th and 11th come together to a yield sign and requested the City consider appointing a task force to study and develop bike routes in Coffeyville. Hendryx responded to Jim Taylor's most recent letter to editor in Coffeyville Journal where he was critical of commissioners and staff.

15. Comments from the Public

- Jim Taylor passed out written comments requesting that any change proposed by our city government be presented to citizens in a well displayed and open manner.

J. EXECUTIVE SESSION(s)

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Finance Department – Sales and property tax reports
2. Police Department – Monthly report
3. Planning & Zoning Commission – 2008 Planning Report
4. KDOC – Communication regarding demolition CDBG

L. ADJOURNMENT

MOTION: Move to adjourn.

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

TIME THE MEETING WAS ADJOURNED: 9:15 p.m.

Date the minutes were approved

01/27/09

Cindy Price

Cindy Price, City Clerk

