

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, MAY 26, 2009
6:30 P.M.**

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

Those in attendance were:

COMMISSIONER ALEC HENDRYX
COMMISSIONER PAM JONES
COMMISSIONER JIM C. TAYLOR, SR.
COMMISSIONER RJ WARREN

City Staff in attendance were:

CITY MANAGER JEFF MORRIS
CITY CLERK CINDY PRICE
FINANCE DIRECTOR STEPHANIE RICHARDSON
DEPUTY PUBLIC WORKS DIRECTOR JIM BRADSHAW
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA
IT MANAGER CHRIS FELIX

- A. **CALL TO ORDER** – Mayor Gonzales
- B. **INVOCATION** – Mary Wilson
- C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

D. CONSENT AGENDA ITEMS

- 1. Regular City Commission Meeting Minutes – Tuesday, May 12, 2009
- 2. 2009 Appropriation Ordinance No. AO-09-16 – \$4,305,143.56
- 3. 2009 Appropriation Ordinance No. AO-09-17– (flood) \$ 3,677.66

MOTION: Move to approve the consent agenda as presented.

ACTION: THE MOTION WAS MADE BY MAYOR 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 organizers of 100 Mile Garage Sale, September 11-12
 - Kathy Garber and two others from the 100 Mile Garage Sale Committee presented information about the event to be held September 11-12. They are working to get sponsors from all the communities along the way and suggesting cities hold a city-wide garage sale those two days. Garber indicated she has contacted the Chamber of Commerce and hopes to work with them as a local sponsor. Commission consensus was to waive the \$3 garage sale fee for those two days
- 2. Request by Tracy Maxson for designated motorcycle parking spaces downtown
 - Tracy Maxson, owner of Dirty's Tavern, requested three or four spaces be designated motorcycle parking downtown. Currently there is no specific parking for motorcycles

and motorcycle owners want to have them parked where they can keep an eye on them. Staff will review the parking downtown.

G. COMMENTS FROM THE PUBLIC

- Jim Falkner, 1014 West Third Street, expressed concern about the recent vandalism in Elmwood Cemetery suggesting the City consider fencing in the entire cemetery. He also noted Veterans Memorial Stadium is a community asset we can't afford to let deteriorate but is concerned there was not a maintenance fund established when the stadium was built.

- Jackie Barrett stated she was previously involved with the Friends of Elmwood Cemetery, a group of individuals who had loved ones buried in the Cemetery. She suggested, at the least, the gate at the north end of the cemetery be locked; previously there was an individual in the neighborhood who would lock and unlock each day; suggested the police department lock the gate. She also suggested the City consider putting lights with motion sensors in the cemetery. It was determined the north gate will be locked and cemetery procedures reviewed.

- Jon Clough, 2409 Edgevale, discussed drainage problems he has each time it rains stating the problem has gotten worse in the last three years with the building going on north of his property; he is flooded twice each year. He requested the city look into the drainage issues.

- Barry Dennis, 306 Warwick, stated he has continued sewer problems due to the drainage.

- Mary Wilson, 207 W. New, thanked the Fire Department for hosting the Hazardous Waste Collection Day and thanked the City for the recent intersection improvements and for returning the traffic lights downtown to normal operation.

H. OLD BUSINESS - none

I. NEW BUSINESS

1. Action and discussion to appoint two individuals to serve on the Senior Citizens Advisory Board to June 1, 2012.

Applicants: Keith Buchele, Charles Gann

- City Clerk Cindy Price reported to Commissioners Charles Gann has withdrawn his application due to his pending move out of town.

MOTION: Move to suspend the rules and appoint Keith Buchele to a third term on the Senior Citizens Advisory Board serving to June 1, 2012.

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

2. Discussion and action to approve a Cereal Malt Beverage application for Phelps Hog Heaven, 511 West 11th Street.

MOTION: Move to approve a Cereal Malt Beverage license contingent upon paperwork from the Kansas Department of Health for Phelps Hog Heaven.

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

3. Ordinance No. G-09-02 – First Reading of an Ordinance amending the City of Coffeyville residency requirements.

- City Manager Jeff Morris addressed the Commission and read a memo prepared by Attorney Paul Kritz regarding the ordinance which, if approved, would modify the requirement all city employees reside within the USD 445 boundaries to allow an exception for employees who are displaced as a result of a natural disaster. Kritz did not recommend approving the ordinance amendment as creating exceptions becomes difficult and could be viewed as being unfair to other employees who are complying with the rule.

MOTION: Move to approve Ordinance No. G-09-02 for First Reading.

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

4. Resolution No. R-09-114 – A Resolution to approve a construction contract with Cylx-Cox General Contractors for the Animal Shelter.

- Deputy Public Works Director Jim Bradshaw addressed the Commission stating the construction site for the animal shelter just north of the Wastewater Treatment Plant was approved on February 24, 2009. Revised site drawings and addendums were sent to the low bidder Crossland Construction approximately April 16; their new bid price was \$468,250. It was determined the city would direct the architect to contact the two remaining bidders to request a revised bid based on the new site with a deadline to respond May 15. Cylx-Cox bid was \$387,500 and Decker Construction \$414,810; a difference of \$27,310 or 7.05%. The construction contract will allow for 210 days for construction with liquidated damages set at \$1,000 per day for each calendar day that expires after the time specified.

MOTION: Move to approve Resolution No. R-09-114 for adoption.

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

5. Resolution No. R-09-115 – A Resolution to purchase a Komatsu Excavator from Sherwin-Williams Co. for the Water/Wastewater and Public Service Departments.

- Deputy Public Works Director Jim Bradshaw addressed the Commission stating Sherwin-Williams Co contacted City staff with an offer to sell their 2006 Komatsu Excavator. The equipment was tested and reported to be in very good condition with

751 hours on it. The total cost is \$25,000 and will be paid from the Water Distribution, Wastewater Collection and Public Service Departments.

MOTION: Move to approve Resolution No. R-09-115 for adoption.

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

6. Resolution No. R-09-116 – A Resolution to execute an agreement with Westar Energy, Inc., to attach equipment to certain City poles.

- Electric Utility Director Bernie Cevera addressed the Commission stating Westar has requested to attach to approximately 18 poles owned by the City of Coffeyville located on the existing Highway 169 north of CR 2250 and two poles north of CR 2400. There will be a one-time compensation to the City of \$31,634.98 as Westar's sole cost for its pole attachments to the Coffeyville poles.

MOTION: Move to approve Resolution No. R-09-116 for adoption.

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

7. Resolution No. R-09-117 – A Resolution to approve a contract with Kiel Management for a concrete pad at the Electric Utility Department.

- Electric Utility Director Bernie Cevera addressed the Commission stating one bid was received for a concrete pad to be poured for a transformer storage pad at the Power Plant. The bid was from Kiel Management, LLC for \$15,505. Due to there being no local bidders, the Commission voted to table the item.

8. Resolution No. R-09-118 – A Resolution to approve an engineering services contract with Allgeier, Martin & Associates for the Amazon.com extension feeder.

- Electric Utility Director Bernie Cevera addressed the Commission stating Amazon.com has requested improved electrical service from the City of Coffeyville, and the City has responded by including a feeder extension in both the Electric System Master Plan and the budget. There have not been any major outages; however, Amazon estimates the potential lost revenue for a one-hour outage during the holidays to cost \$500,000. The line currently serving the facility was built in 1973 and has just received routine maintenance. Utilizing the Professional Services Agreement currently in place, staff recommends authorizing Allgeier Martin & Associates to proceed with the design for the feeder extension at a not to exceed cost of \$25,000.

MOTION: Move to approve Resolution No. R-09-118 for adoption.

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

9. Comments from Commissioners and Staff

- City Manager Jeff Morris updated Commissioners on street repairs, reviewed an opportunity for stimulus funds for water projects improvements where 20% of the cost of the project funded by grant, however, the funds would need to be borrowed.
- Commissioner Hendryx asked if the City was tracking how long pothole repairs are lasting.
- Commission Jones asked for the cost to repair a portion of North Highland.
- Commissioner Taylor passed out a list of questions he would like answered by Commissioners and staff and requested they be placed on the next agenda under old business.

J. EXECUTIVE SESSION(s) - none

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. April Building Permit Report
2. Coffeyville Public Library Minutes
3. Senior Citizens Advisory Board Report
4. CRMC Board Report

L. ADJOURNMENT

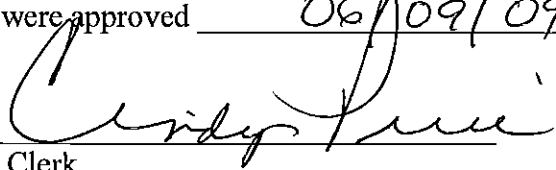
MOTION: Move to adjourn.

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

TIME THE MEETING WAS ADJOURNED: 9:38 p.m.

Date the minutes were approved _____

06/09/09



Cindy Price, City Clerk

