

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, JULY 28, 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.

Those absent:

COMMISSIONER RJ WARREN

City Staff in attendance were:

CITY MANAGER JEFF MORRIS
CITY CLERK CINDY PRICE
FINANCE DIRECTOR STEPHANIE RICHARDSON
POLICE CHIEF JOE HUMBLE
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA
ENGINEERING SUPERINTENDENT SCOTT MASSMAN
IT DIRECTOR CHRIS FELIX

- A. **CALL TO ORDER** – Mayor Gonzales
- B. **INVOCATION** – Rev. Gerald Morris, Grace Fellowship Church
- C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. **REVIEW OF AGENDA**

E. CONSENT AGENDA ITEMS

- 1. Regular City Commission Meeting Minutes – Tuesday, July 14, 2009
- 2. 2009 Appropriation Ordinance No. AO-09-24 – \$786,997.87
- 3. 2009 Appropriation Ordinance No. AO-09-25– (flood) \$ 9,659.19

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 EXCEPT COMMISSIONER WARREN WHO WAS ABSENT.

REGULAR AGENDA ITEMS

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

- 1. Presentation by Peter Berrick, Tavern on the Plaza, regarding serving alcohol on sidewalk.
 - Peter Berrick, owner of Tavern on the Plaza located downtown, stated the restaurant currently uses the sidewalks for outdoor dining and is requesting approval to serve alcohol with the meals. According to the state, with City approval, his permit would be re-issued to include the sidewalks. Berrick stated he currently has 20 employees; he would increase this by two if approved; his food to alcohol ratio is 6.5 to one. Commissioner Hendryx stated he feared it would open it up to others who aren't selling

as much food and any such agreement should include wording on food being served; he also questioned what the maximum amount of sidewalk that could be utilized. Berrick was instructed to work with the City Manager and City Attorney to bring a proposal back to the Commission for consideration stating what his intentions are, the ratio of food to alcohol and how much of the sidewalk would be utilized.

G. COMMENTS FROM THE PUBLIC

- Mary Wilson, 207 West New stated she is concerned about the amount of pigeon poop on downtown sidewalks.

H. OLD BUSINESS

1. Resolution No. R-09-123 – A Resolution to purchase video equipment for the City Hall Commission Room.

- Mayor Gonzales asked why this is back on the agenda; Commissioner Taylor stated he is going to request it be on the agenda each meeting until acted upon as it would be a service to the community to broadcast the Commission meetings on the City's public access channel. Discussion was held on purchasing the software to be able to utilize the channel for public access. Commissioner Jones and Mayor Gonzales are okay with the software but not ready to broadcast meetings; Commissioner Hendryx asked IT Manager Chris Felix to research additional software available. Mayor Gonzales stated he is not comfortable with broadcasting meetings given the nature of how the meetings are going.

MOTION: Move to strike from future agendas the purchase of equipment to video tape meetings until we mature.

ACTION: THE MOTION WAS MADE BY MAYOR GONZALES AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – COMMISSIONERS JONES AND HENDRYX AND MAYOR GONZALES VOTED AYE; COMMISSIONER TAYLOR VOTED NO AND COMMISSIONER WARREN WAS ABSENT.

I. NEW BUSINESS

1. Resolution No. R-09-132 – A Resolution to submit the KDOT 2012 KLINK Resurfacing Project.

- Engineering Superintendent Scott Massman addressed the Commission stating the 2012 KLINK project to be submitted to KDOT this year is for Highway 169 south of 15th Street. A 2 inch asphalt overlay was considered, however, it was suggested the City consider a grinding and concrete bonded overlay or a Nova Chip overlay. Staff conferred with representatives of the American Concrete Paving Association about the concrete bonded overlay and found the projected costs of this process were similar to that of full depth replacement. As the concrete is still good and the goal was to seal, preserve and provide a new wearing surface, the Nova Chip overlay was researched. This overlay provided an ultrathin bonded wearing course which can be used over either asphalt or concrete pavements and combines the strength of hot mix with the flexibility of thin maintenance treatments. KLINK projects are a 50/50 match with the state's participation in the cost of construction and construction engineering not to exceed \$200,000.

MOTION: Move to approve Resolution No. R-09-132 for adoption.

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

2. Resolution No. R-09-133 – A Resolution to execute a grant agreement with the FAA and award a contract to Beachner Construction for the t-hangar taxilane project at the Coffeyville Municipal Airport.

■ Engineering Superintendent Scott Massman addressed the Commission stating the City of Coffeyville has entered into a grant application agreement with the Federal Aviation Administration for the reconstruction of the t-hangar taxilanes. Bids were received with Crossland Heavy Contractors being the low bidder, however, they did not fulfill the bid requirements with regards to the Disadvantage Business Enterprise. Therefore, the bid was rejected and the next low bidder was Beachner Construction. The grant agreement is a 95/5 match between the City of Coffeyville and the Federal Aviation Administration with the City's cost being \$30,787.54.

MOTION: Move to approve Resolution No. R-09-133 for adoption.

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

3. Resolution No. R-09-134 – A Resolution to purchase a 2008 Dodge Charger from Joe Watts Auto Sales and a 2010 Ford Escape Hybrid from Quality Motors for the Police Department.

■ Police Chief Joe Humble addressed the Commission stating bids have been solicited for both regular fuel police vehicles and hybrid vehicles which could be modified to serve as patrol vehicles. There are so many variables with the hybrid vehicles, it is hard to compare the hybrid versus the regular fuel vehicles. With the gas prices at the current price, the hybrid will be the most expensive. The vehicle quotes from Joe Watts were for used vehicles; the lowest bid for new vehicles was for Dodge Chargers from Odessa Ford, the dealership which has the State of Kansas contract. It is uncertain if they still have any of the vehicles in stock. Following discussion, the Commission determined they prefer the Police Department purchase new vehicles rather than used

MOTION: Move to purchase two Dodge Chargers from Odessa Ford if available; if the vehicles are not available to pursue other options.

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

4. Discussion and action to appoint a Director and Alternate Director to the Kansas Municipal Gas Agency Board of Directors

MOTION: Move to appoint Bernie Cevera as Director and Jeff Morris as Alternate Director for two-year terms on the Kansas Municipal Gas Agency Board of Directors.

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

5. Discussion and action to set a Public Hearing for the FY 2010 budget.

MOTION: Move to set a public hearing for the FY 2010 budget to be held on Tuesday, August 11, 2009, 6:30 p.m.

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

6. Discussion on commission meeting decorum.

- Commissioner Taylor asked Commissioners to consider asking Commissioner Warren to attend meetings or to resign; he doesn't think he is doing the Commission or citizens justice by not attending meetings. He also believes Warren has a conflict of interest with his employment at the college. Commissioner Jones has concerns about his missing budget sessions and only attended four of the 11 facilities tours. He questioned if Commission could set direction on how many meetings a Commissioner could miss; she is not asking him to resign. Commissioner Hendryx doesn't agree there is a conflict of interest and it should be up to Warren whether he needs to resign or not. Mayor Gonzales stated he is a young, energetic individual which is needed on the Commission; we should set parameters as to what the expectations are; he is not asking him to resign.

7. Comments from Commissioners and Staff

- IT Manager Chris Felix reported on a grant opportunity to expand broadband access to unserved and underserved communities across the United States as part of the Recovery Act. If Commission approves, the City would submit the grant application at a total cost of \$207,400 which requires a 20% in-kind and/or cash match. The cash match would come from revenues from the wireless utility. Commissioners approved submitting the application.
- Commissioner Taylor stated football season is fast approaching and there is no resolution on the stadium; CCC is being neglectful in not helping to finance the stadium. He is proposing to give the stadium to CCC and the City will pay the indebtedness.

J. EXECUTIVE SESSION(s)

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Finance Department – Sales Tax Report
2. Code Enforcement June Reports
3. Correspondence from ADSAP
4. Correspondence from Cox Communication
5. CRMC Monthly Report

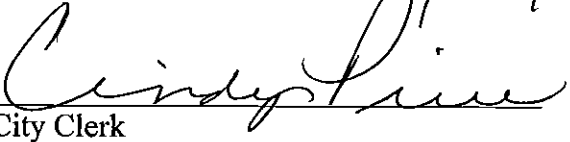
L. ADJOURNMENT

MOTION: Move to adjourn.

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

TIME THE MEETING WAS ADJOURNED: 8:30 p.m.

Date the minutes were approved 08/11/09


Cindy Price, City Clerk