

REGULAR COMMISSION MEETING MINUTES
TUESDAY, AUGUST 25, 2009
6:30 P.M.

EXECUTIVE SESSION – 5:45 p.m.

1. Confidential data relating to financial affairs or trade secrets of second parties.

MOTION: Move to adjourn to Executive Session for discussion of confidential data relating to financial affairs or trade secrets of second parties to include representatives of Acme Foundry, Max Williams and Jim Falkner of the Planning Commission and staff to reconvene on or before 6:30 p.m.

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

The meeting was reconvened at 6:30 p.m. for the Regular Session 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
CITY ATTORNEY PAUL KRITZ
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
ENGINEERING SUPERINTENDENT SCOTT MASSMAN
INTERCONNECTED OPERATIONS MANAGER STEVE MCGIE
ELECTRIC GENERATION SUPERINTENDENT DAVE HANNA
IT DIRECTOR CHRIS FELIX

- A. CALL TO ORDER – Mayor Gonzales**
- 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, August 11, 2009
 2. Special City Commission Meeting Minutes – Tuesday, August 18, 2009
 3. 2009 Appropriation Ordinance No. AO-09-28 – \$4,497,449.13
 4. 2009 Appropriation Ordinance No. AO-09-29– (flood) \$ 25,128.66

MOTION: Move to approve the consent agenda as amended adding a sentence to minutes of August 11 meeting.

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

REGULAR AGENDA ITEMS

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

G. COMMENTS FROM THE PUBLIC

- Larry Young, 209 West Third Street, expressed his concerns about the inconsistencies in the current trash pick up in Coffeyville.

H. OLD BUSINESS

1. Ordinance No. G-09-03 – Second Reading of an Ordinance to amend the water rates.

MOTION: Move that Ordinance No. G-09-03 be moved to Second Reading and approved for adoption.

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

I. NEW BUSINESS

1. Resolution No. R-09-141 – A Resolution to issue a purchase order to Coffeyville Insurance Associates for property insurance coverage for the Electric Utility.

- Adam Gill, representing Coffeyville Insurance Agency, provided the renewal quote for the property, boiler and machinery insurance coverage for the power plant and substations totaling \$182,178. City Manager Jeff Morris stated this is year two for this policy. Typically the City bids out the insurance every three years. The company writing the insurance, Chubb Insurance, provides a good service to the City.

MOTION: Move to approve Resolution No. R-09-141 for adoption.

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

2. Resolution No. R-09-142 – A Resolution to issue a purchase order for flood insurance coverage for the city owned property located in Flood Zone A.

- Engineering Superintendent Scott Massman addressed the Commission stating the City has six locations in Flood Zone A. The company writing our property and casualty insurance, OneBeacon, requested the City purchase flood coverage for these properties separately through the National Flood Insurance Program. The quote is \$52,558 through American Bankers Insurance company. It is important to get the coverage in place as we are currently uninsured for flood damage at these six locations and there is a mandatory 30 day waiting period before flood coverage goes into effect. The resolution will be in an amount not to exceed \$55,000 as the quoted amount will not become locked in until the signed application is received by the carrier.

MOTION: Move to approve Resolution No. R-09-142 for adoption.

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

3. Resolution No. R-09-143 – A Resolution to execute Change Order #1 with BWR for the West Third Street road project.
- Engineering Superintendent Scott Massman addressed the Commission stating in the process of reviewing the final plans and specs for the West Third Street Project it was discovered the typical roadway section proposed eight inches of asphalt be placed on compacted sub grade (soil). Staff felt this section was not acceptable for the proposed project and a request was made to BWR, design engineer, to change the section to be six inches of AB3 rock placed on six inches of compacted sub grade soil, with six inches of asphalt as the finished course. The resulted in a \$960 change order.

MOTION: Move to approve Resolution No. R-09-143 for adoption.

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

4. Resolution No. R-09-144 – A Resolution to execute an Engineering Services Contract with Transystems for the Third Street road project.
- Engineering Superintendent Scott Massman addressed the Commission stating this contract will be for engineering inspection services for the West Third Street road project. Three bids were received with Transystems being the low bid. Staff recommends awarding the contract to Transystems at a not to exceed cost of \$3,500.

MOTION: Move to approve Resolution No. R-09-144 for adoption.

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

5. Resolution No. R-09-145 – A Resolution to award a Construction Contract to Bryant & Bryant for the 166/169 KLINK Project, Sunflower to Eighth Street.
- Engineering Superintendent Scott Massman addressed the Commission stating due to the project costs coming in lower than expected on the first section of the Highway 166/169 KLINK project, KDOT put bids out for the Sunflower to Eighth Street section. Bryant & Bryant, who has contract for the first phases of this project, was the low bidder at \$234,307.20.

MOTION: Move to approve Resolution No. R-09-145 for adoption.

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

6. Resolution No. R-09-146 – A Resolution to execute two contracts with the Coffeyville Recreation Commission.

- City Manager Jeff Morris addressed the Commission stating the City and Coffeyville Recreation staff have negotiated a new lease agreement for CRC's use of City owned facilities with minor revisions such as the deletion of Byers Field as it is currently in use by the college. This contract has already been approved by CRC. A contract was drawn up for the LeClere Maintenance building; this contract will be presented to CRC Board in September.

MOTION: Move to approve Resolution No. R-09-146 for adoption.

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

7. Ordinance No. G-09-05 – First Reading of an ordinance to approve the 2009 Edition of the Standard Traffic Ordinance For Kansas Cities.

- City Attorney Paul Kritz addressed the Commission stating the City regularly adopts the most recent version of the Standard Traffic Ordinance and Uniform Public Offense Code which are published by the League of Kansas Municipalities and incorporate changes to the laws as enacted by the Kansas legislature.

MOTION: Move that Ordinance No. G-09-05 be approved for First Reading.

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

8. Ordinance No. G-09-04 – First Reading of an ordinance to approve the 2009 Uniform Public Offense Code For Kansas Cities.

MOTION: Move that Ordinance No. G-09-04 be approved for First Reading.

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

9. Resolution No. R-09-147 – A Resolution to issue a purchase order to Midwest Fence for the Santa Fe fence project for the Electric Utility.

- Electric Generation Superintendent Dave Hanna addressed the Commission stating this project will fence the area on Santa Fe which has been closed between Fifth and Sixth Streets and will allow the Electric Utility to centralize equipment and place surveillance equipment on site.

MOTION: Move to approve Resolution No. R-09-147 for adoption.

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

10. Commissioner Taylor's discussion items

- Use of executive session
 - Commissioner Taylor stated he was displeased with the preparation for the Veterans Memorial Stadium agreement and the fact there was an Executive Session held for the attorney and Commissioners to discuss the proposal to present to the college and school district.
- Tracking of expenses for Veterans Memorial Stadium
 - Commissioner Taylor requested a better system be devised to keep track of all expenses incurred with the operation of VMS.
- Procedure for Commissioners to place items on agenda
 - No discussion on this item

11. Comments from Commissioners and Staff

- Commissioner Hendryx questioned if the City should consider using concrete versus asphalt for reconstruction of existing streets or construction of new streets; asked about the progress in removing awnings in the downtown and about motorcycle parking at Dirty's Tavern. He suggested the business be allowed to put out temporary signs in front of their business to allow motorcycle parking; Commissioner Jones concurred; Commissioners Taylor and Warren and Mayor Gonzales prefer to leave things the way they are. Hendryx also gave an update on the skatepark.
- Commissioner Warren requested the City begin planning now for annexation; pursue three-mile zoning. Information on three-mile zoning will be included on the next agenda. Commissioners agreed to have staff send letters to business and industry in the Industrial Park asking for their consent to be annexed.
- City Manager Jeff Morris gave an update on the Highway 166/169 KLINK project and the housing projects on Keith Boulevard and Mansion Estates.

J. EXECUTIVE SESSION(s)

1. Attorney-Client Relationship

MOTION: Move to adjourn to Executive Session for discussion of items that would be deemed confidential in attorney-client relationship to reconvene on or before 9:20 p.m.

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

TIME THE MEETING WAS RECONVENED: 9:20 P.M.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Police Department Monthly Report
2. Coffeyville Public Library July Meeting Minutes
3. CRMC Monthly Report

L. ADJOURNMENT

MOTION: Move to adjourn.

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

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, AUGUST 25, 2009**

TIME THE MEETING WAS ADJOURNED: 9:20 p.m.

Date the minutes were approved

09/08/09

Cindy Price, City Clerk

Cindy Price