

REGULAR COMMISSION MEETING MINUTES
TUESDAY, SEPTEMBER 8, 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.
RJ WARREN

City Staff in attendance were:

CITY MANAGER JEFF MORRIS
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
POLICE CHIEF JOE HUMBLE
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA
PLANNER/ARCHITECT DENNIS JACOBS
HUMAN RESOURCE DIRECTOR MARILYNN FLORES
IT DIRECTOR CHRIS FELIX

- A. **CALL TO ORDER** – Mayor Gonzales
- B. **INVOCATION** – Rev. Jenny Collins, First Methodist Church
- C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. **REVIEW OF AGENDA**
- E. **CONSENT AGENDA ITEMS**

- 1. Regular City Commission Meeting Minutes – Tuesday, August 25, 2009
- 2. 2009 Appropriation Ordinance No. AO-09-30 – \$824,953.09
- 3. 2009 Appropriation Ordinance No. AO-09-31– (flood) \$ 4,076.61

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

- F. **PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).**
 - 1. Report on Electric Utility Department and Power Plant from Roy Criswell Engineering.
 - Electric Utility Director Bernie Cevera introduced Roy Criswell from Criswell Engineering who gave a detailed report on the diagnostic tests run on all of the City of Coffeyville Power Plant auxiliary and substation equipment along with recommendations for repair or replacement of the equipment.

G. COMMENTS FROM THE PUBLIC

- Mary Wilson, 207 West New, stated she is seeing a number of people using the streets to walk and roller blade; concerned this is a safety issue

H. OLD BUSINESS

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

MOTION: Move that Ordinance No. G-09-04 be moved to Second Reading and approved for adoption.

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

2. Ordinance No. G-09-05 – Second Reading of an Ordinance to approve the 2009 Edition of the Standard Traffic Ordinance for Kansas Cities.

MOTION: Move that Ordinance No. G-09-05 be moved to Second Reading and approved for adoption.

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

I. NEW BUSINESS

- A. Resolution No. R-09-149 – A Resolution to execute a letter of intent with the Southwest Power Pool.

- Electric Utility Director Bernie Cevera addressed the Commission stating this is the ninth reiteration of the SPP study which is nearly complete.

MOTION: Move to approve Resolution No. R-09-149 for adoption.

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

1. Discussion and action to appoint one person to fill an unexpired term on the Public Library Board serving to April 30, 2012.

Applicant: John Collins

MOTION: Move to appoint John Collins to fill an unexpired term on the Public Library Board serving to April 30, 2012.

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

2. Resolution No. R-09-148 -- A Resolution to execute a contract with Louis Bustos for the 5th Floor North Suite at Veterans Memorial Stadium.
 - City Manager Jeff Morris addressed the Commission stating the suites at Veterans Memorial Stadium are available to rent for events and activities. The 5th floor north suite has been rented previously and this is basically a continuation of the contract, however, the contact name is being changed to Louis Bustos. The contract is good for one year at a fee of \$3,000.

MOTION: Move to approve Resolution No. R-09-148 for adoption.

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

3. Discussion on operation of micro-utility vehicles on city streets
 - City Attorney Paul Kritz led a discussion on the operation of micro-utility and other types of vehicles such as golf carts on city streets. Commissioners determined they are only interested in licensing micro-utility vehicles at the present time. An ordinance will be drafted to present to Commissioners at the next meeting.

4. Discussion on Public Housing Authority
 - City Manager Jeff Morris addressed the Commission stating a draft version of bylaws for the City's Public Housing Authority has been prepared. Determining the structure of the authority is a decision that needs to be considered with at least two options available. The first would be making the authority an appointed board similar to the Planning and Zoning Board. All financial transactions such as buying and selling property would require approval of the Commission. The second scenario would be to establish a separate 501(c)3 corporation whose Board of Directors is appointed by the city Commission; this is how most are set up throughout the state of Kansas research is indicating. All financial transactions would require the approval of the Board of Directors. Following discussion, the majority of Commissioners favored the authority being its own entity, however, with term limits set on board member appointments and monetary limits set on expenditures to allow for some oversight by the Commission.

5. Comments from Commissioners and Staff
 - City Manager Jeff Morris reported:
 - North Highland street repair is complete
 - Received confirmation from KHRC the Garrison Development Mill Supply tax credit project Commission resolution will need to be renewed since the project has changed.
 - HVAC units in the Perkins Building are worn out; replacement units are approximately \$5,600
 - Street sweeper has been delivered
 - Request has been received to include the El Publito area property in the Neighborhood Revitalization area; no support from Commissioners
 - Heartline Ministries is requesting the City deed Carnegie Library to their organization for \$1; they would assume all the building liability and repair. Commissioners requested staff take bids again on the building.

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, SEPTEMBER 8, 2009**

4

J. EXECUTIVE SESSION(s)

1. Attorney-client relationship

MOTION: Move to adjourn to executive session for discussion of items that would be deemed privileged in attorney-client relationship to include staff and to reconvene on or before 9:10 p.m.

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

TIME THE MEETING WAS RECONVENED: 9:10 p.m.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Finance Department – Sales tax report
2. Inspections Department – Building Permit Report
3. Fire Department August Report
4. Hillcrest Golf Course August Report

L. ADJOURNMENT

MOTION: Move to adjourn.

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

TIME THE MEETING WAS ADJOURNED: 9:17 p.m.

Date the minutes were approved

09/22/09


Cindy Price, City Clerk