

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, NOVEMBER 10, 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
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR STEPHANIE RICHARDSON
IT DIRECTOR CHRIS FELIX
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
DEPUTY PUBLIC WORKS DIRECTOR JIM BRADSHAW
TREASURER ANGIE NADEN
PLANNER/ARCHITECT DENNIS JACOBS

- A. **CALL TO ORDER** – Mayor Gonzales
- B. **INVOCATION** – Rev. Wayne Norton, First Baptist Church
- C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. **REVIEW OF AGENDA**

E. CONSENT AGENDA ITEMS

- 1. Regular City Commission Meeting Minutes – Tuesday, October 27, 2009
- 2. 2009 Appropriation Ordinance No. AO-09-37 – \$579,030.91
- 3. 2009 Appropriation Ordinance No. AO-09-38-- (flood) \$257,879.02

MOTION: Move to approve the consent agenda as presented.

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

REGULAR AGENDA ITEMS

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

- G. **COMMENTS FROM THE PUBLIC**

H. OLD BUSINESS

- 1. Ordinance No. S-09-05 – Second Reading of an Ordinance to grant a ten-year property taxation exemption-incentive for 4State Maintenance Supply.
 - City Treasurer Angie Naden addressed the Commission stating there are no changes from the First Reading; Commissioner Taylor reiterated his opposition to tax abatements.

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

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

2. Ordinance No. S-09-06 – Second Reading of an Ordinance to execute a loan agreement with the Kansas Department of Health and Environment to finance a public water supply project.

- Public Works Director Chuck Shively addressed the Commission stating there are no changes from the First Reading;

MOTION: Move that Ordinance No. S-09-06 be passed to Second Reading and approved for adoption.

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

I. NEW BUSINESS

1. Resolution No. R-09-182 – A Resolution to execute a construction contract with J. S. Haren Company for the Water Treatment Facility Improvements Project.

- Public Works Director Chuck Shively addressed the Commission stating bids were recently opened for construction of the water utility security, valve, and equipment improvement projects to be funded through the loan, approved in the previous motion, from the Kansas Public Water Supply Loan Fund with a 20% principal forgiveness grant from the American Recovery and Reinvestment Act. At the time the bids were opened, Crossland Heavy Contractors was the apparent low bidder; they determined, however, there was an error in the bid; they subsequently withdrew their bid. The second low bidder, J. S. Haren Company, is from Tennessee. As neither staff nor the Engineering Firm had any experience with this firm, references were checked. All references contacted had good comments and would use the contractor again.

MOTION: Move to approve Resolution No. R-09-182 for adoption.

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

2. Resolution No. R-09-183 – A Resolution to execute a construction contract with Decker Construction for the Police Department Remodeling Project.

- Planner/Architect Dennis Jacobs addressed the Commission stating the police department requested an interior remodeling to better serve the public and employees in the lobby area where people go to obtain records and pay fines. The project will add or replace four doors and frames and once completed will provide a more secure separation from the public. In addition, a bullet-resistant payment window and counter is being added. Two bids were received, the low bid was \$17,631 from Decker Construction.

MOTION: Move to approve Resolution No. R-09-183 for adoption.

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

3. Resolution No. R-09-179 – A Resolution to execute a Lease Agreement with Coffeyville Community College for use of the baseball and softball fields at Walter Johnson Park.

■ City Clerk Cindy Price addressed the Commission stating for a number of years, Coffeyville Community College has utilized the baseball and softball fields at Walter Johnson Park, and during that time, CCC has been the primary caretaker of the facilities. They want to make some improvements to the fields such as construction of a locker room, indoor batting cages, concession stand and restrooms and requested a formal lease with the City. Under the agreement, CCC will be responsible for maintenance of the facilities, pay for utilities, allow other users to use the field for official games and receive approval from the city on any permanent improvements or alterations to the facilities. The City will continue to be responsible for insurance for the facilities. The agreement is for ten years.

MOTION: Move to approve Resolution No. R-09-179 for adoption.

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

4. Resolution No. R-09-184 – A Resolution to set a Public Hearing for the vacation of a portion of Spruce Street.

■ City Clerk Cindy addressed the Commission stating Acme Foundry has requested a portion of Spruce Street be vacated due to safety concerns and potential expansion of their facility. The first step in a vacation request is to set a date for a public hearing. All entities with infrastructure in the affected area will be notified of the hearing. Also, the notice is published in the newspaper per state statute requirements. Commissioner Taylor requested property owners in the affected area also be notified. No specific boundaries for notification were specified.

MOTION: Move to approve Resolution No. R-09-184 for adoption.

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

5. Review and discussion of an agreement with Friends of Animals for operation of the Coffeyville Animal Shelter.

■ City Manager Jeff Morris addressed the Commission stating City staff has been meeting with the Friends of Animals on an agreement for operation of the currently under construction animal shelter. The agreement specifies Friends of Animals will be responsible for management and operation of the Shelter; caring for the animals and being open at least 15 hours per week. The city will provide the shelter, employ a full-time Animal Control Officer, deliver stray animals to the shelter and provide trash

removal. The City will also cover utilities including gas. Crematory fees will be established with all fees coming back to the City to help cover the cost of gas for the facility. Jim Percival, president of Friends of Animals, stated his group wants to try to keep animals a minimum of 14 days; they will work to promote a spay and neuter program; their primary goal is to become a no kill shelter. The agreement will be presented to the Commission for final approval at the next meeting.

6. Comments from Commissioners and Staff

- Commissioner Taylor read a list of concerns he has with the proposed apartment complex proposed for the 700 block of Union.

J. EXECUTIVE SESSION(s)

MOTION: Move to adjourn to executive session for discussion of items deemed privileged in attorney-client relationship to reconvene on or before 8:15 p.m.

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

Time the meeting was reconvened: 8:10 p.m.

Mayor Gonzales stated there was no action as a result of executive session. City Clerk Cindy discussed the upcoming sales tax election and provided information for commissioners to use when discussing the election.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales Tax Reports
2. Police Department Report
3. Hillcrest Golf Course Report
4. Code Enforcement Reports

L. ADJOURNMENT

MOTION: Move to adjourn

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

Time the meeting was adjourned: 8:25 p.m.

Date the minutes were approved _____



11/24/09

Cindy Price, City Clerk