

REGULAR COMMISSION MEETING MINUTES
TUESDAY, JANUARY 12, 2010
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
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA
PUBLIC WORKS DEPUTY DIRECTOR JIM BRADSHAW
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
ARCHITECT/PLANNER DENNIS JACOBS
FIRE CHIEF GREG ALLEN
ENGINEERING SUPERINTENDENT SCOTT MASSMAN

- A. **CALL TO ORDER** – Mayor Gonzales
- B. **INVOCATION** – Pastor Richard Peckman, St. Paul's Lutheran Church
- C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. **REVIEW OF AGENDA**
- E. **CONSENT AGENDA ITEMS**
1. Regular City Commission Meeting Minutes – Tuesday, December 22, 2009
 2. 2009 Appropriation Ordinance No. AO-09-46 – \$615,561.82
 3. 2009 Appropriation Ordinance No. AO-09-47– (flood) \$ 975.75
- MOTION: Move to approve the consent agenda as presented.
- ACTION: THE MOTION WAS MADE BY MAYOR GONZALES AND SECONDED BY COMMISSIONER WARREN. ROLL CALL VOTE – ALL AYE
- REGULAR AGENDA ITEMS**
- F. **PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).**
1. Proclamation – Martin Luther King Day, January 18, 2010
 - Mayor Gonzales read and presented the proclamation to members on the PINCH organization.
 2. Presentation by Montgomery County Action Council
 - John Schmid, President of MCAC, provided comments regarding the MCAC

organization and introduced board members in attendance. This was followed by an overview of the 2009 activities by Brad Eilts, Executive Director.

3. Resolution No. R-10-01 – A Resolution to approve the FY 2010 membership and economic development service agreement with the Montgomery County Action Council.

■ City Manager Jeff Morris addressed the Commission stating the contract for 2010 is the same as previous years in the total amount of \$15,680.

MOTION: Move to approve Resolution No. R-10-01 for adoption.

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

4. Presentation by Garrison Development on Mill Supply Apartment project.

■ Gary Hassenflu, Garrison Development, addressed the Commission stating he is planning to build a 32 unit affordable apartment complex on the current site of the Mill Supply building. There will be a local onsite manager, tenants will be screened, the property will be maintained, and the project will be a \$3.2 million project for the community. The funding entity is the state of Kansas utilizing stimulus dollars along with Hassenflu. He is asking to be able to participate in the neighborhood revitalization program. Commissioner Taylor stated he was going to contact KHRC to get more details. Commissioner Hendryx stated the Mill Supply building is not providing any benefits to the community now and if not razed by Hassenflu for this project it would end up being the City's responsibility to demolish. Mayor Gonzales referenced the comprehensive plan which states the City needs rental units; Commissioner Warren stated he has researched affordable housing which is not the same as the section 8 housing. Taylor stated he is not opposed to the housing project but believes there have been serial meetings to discuss this project and the Commission is giddy about making something happen in our falling down town.

■ Jim Taylor, Jr., stated he supports the project, however, he has an issue with the developer receiving \$4 million from the state and nothing is being used for parking for the Shriners. He is also concerned about parking around the Terminal Building which he owns and hopes to develop at some point in the future.

■ Mike Ewy stated downtown studies have shown there are parking spaces available, the construction costs for the project will be a benefit to the community and the neighborhood revitalization program only rebates future tax dollars it takes nothing off the dollars currently being received.

■ George Chronister provided a list of activities held at the Shrine Barn which he stated is used more often than people realize.

■ John O'Connell questioned the number of jobs that will be local for the project.

5. Resolution No. R-10-11 – A Resolution to support a housing tax credit application by Garrison Development Company for development of rental housing in the 700 block of Union.

■ City Manager Jeff Morris addressed the Commission stating the Commission previously approved a resolution of support for this project, however, since the deadline for the resolution has expired, KHRC was requested it be reapproved.

MOTION: Move to approve Resolution No. R-10-11 for adoption.

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

G. COMMENTS FROM THE PUBLIC

1. Cody Mummert to discuss employee boundaries.

■ Cody Mummert has a brother in law, Ray Robinson, who has worked for the City for 28 years and is two years away from retirement. He was displaced in the flood and is currently living on property which he inherited located outside the employee boundary. He is requesting Robinson be given a variance to live on the property. Commissioners indicated they are not in favor of granting exceptions to the employee boundary ordinance.

■ Merv Wilshire with the International Brotherhood of Electrical Workers stated he appreciates the rule the City has; this is not a unique situation and Ray was led to believe that over time he would be able to live on the property he inherited.

H. OLD BUSINESS

1. Ordinance No. G-10-01 – Second Reading of an Ordinance to amend the International Fire Code relating to liquid petroleum gas storage.

■ Fire Chief Greg Allen addressed the Commission stating the ordinance has had one revision from the first reading to read motorized vehicles whose internal combustion engine is equipped to operate with liquefied petroleum gas would be exempt from the propane ordinance.

MOTION: Move that Ordinance No. G-10-01 be passed 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

1. Resolution No. R-10-02 – A Resolution to support the Senior Services of Southeast Kansas grant application to the Kansas Department of Transportation.

■ City Clerk Cindy price addressed the Commission stating Senior Services of Southeast Kansas provides public transportation to the elderly, disabled and general public of rural Southeast Kansas. Their primary funding source is the Federal Transit Administration and Kansas Department of Transportation. To obtain the KDOT funding, Senior Services submits a grant application which requires evidence of support which is the purpose of this resolution. Sandra Neilsen with Senior Services commented their services are provided on a donation basis and they do provide transportation to Independence, Wichita and Topeka.

MOTION: Move to approve Resolution No. R-10-02 for adoption.

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

2. Discussion and action to appoint one person to a new three-year term on the Planning Commission from January 1, 2010 to January 1, 2013.
 - Applicant must reside inside the city limits.
 - Applicants: Tracy Maxson, Chris West
 - Both applicants were present to make comments. Tracy Maxson was selected with votes from Commissioners Jones, Warren and Taylor. Commissioner Hendryx and Mayor Gonzales voted for Chris West.

3. Resolution No. R-10-03 – A Resolution to execute a contract of sale for property located at 110 North Buckeye.
 - Finance Director Stephanie Richardson addressed the Commission stating this will be the second property purchased for the Neighborhood Stabilization Program (NSP) which awarded the City \$218,472 to purchase foreclosed properties, rehabilitate them and get the properties back into the hands of homeowners. The property at 110 North Buckeye was appraised at \$24,200; the City offered \$23,958 and the bank approved. The NSP was established to help finance companies and banks recoup costs on foreclosed properties. The purchase and renovation of 110 North Buckeye will improve not only the house itself, but will also improve the look of the entire block.

MOTION: Move to approve Resolution No. R-10-03 for adoption.

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

4. Ordinance No. S-10-01 – First Reading of an Ordinance to rezone 816 East Tenth Street.
 - Planner/Architect Dennis Jacobs addressed the Commission stating Zane Goodwin, representing Net Masters, is requesting property located at 816 East Tenth Street be rezoned from single family residential to service commercial district for the purpose of remodeling and operating an assembly and retail business. The Planning Commission approved the request unanimously.

MOTION: Move that ordinance No. S-10-01 be approved for First Reading.

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

5. Resolution No. R-10-04 – A Resolution to participate in the KMU Study of the generation needs of the State's public power systems.
 - Electric Utility Director Bernie Cevera addressed the Commission stating the Kansas Municipal Utilities in coordination with the Kansas Municipal Energy Agency, Kansas Power Pool and Kansas City Board of Public Utilities has undertaken a project to study the generation needs of the state's public power systems. These 119 utilities serve nearly 17% of the state's citizens. To date no study has been conducted to jointly study the generation needs of this sizable portion of the Kansas electric utility industry. Burns & McDonnell was selected as the engineering consultants to conduct a two-phase study. The first phase will provide a high-level review and assessment of member resources

and needs. The second phase is more focused and detailed to include generation technology cost assessment, transmission considerations, environmental, economic and sensitivity analysis, resource planning analysis, implementation and contingency plan. The total, not-to-exceed cost of phase one and two is \$156,821 with funding provided by the members participating. Each member's pro-rata share of the cost is based 50% on its utility's energy sales and 50% on number of customers which totals \$13,204 for Coffeyville. Commissioner Hendryx stated is he concerned that by the time the results of the study are available it would be obsolete. He questioned how this study will help us and believes our share of the cost is disproportionate.

MOTION: Move to approve Resolution No. R-10-04 for adoption.

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

6. Resolution No. R-10-05 – A Resolution to purchase a 37' Altec Aerial Truck for the Electric Utility Meter Shop.

■ Electric Utility Director Bernie Cevera addressed the Commission stating the truck currently in use by the Meter Shop is a 1994 vehicle with 96,000 miles on it and in need of constant maintenance repairs. Bids were requested; the Versalift vehicle was \$575 less, however staff determined the 37' Altec aerial truck was a better value. Funding will come from the electric department depreciation/replacement fund. Commissioner Taylor stated he wants to develop a formula for other departments so that when something is purchased in the Electric Department, equipment will be purchased in other departments.

MOTION: Move to approve Resolution No. R-10-05 for adoption.

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

7. Resolution No. R-10-06 – A Resolution to execute an Engineering Services Agreement with Allgeier, Martin & Associates for the Water Treatment Plant projects.

■ Public Works Director Chuck Shively addressed the Commission stating the preconstruction conference for the American Recovery and Reinvestment Act (ARRA) and Kansas Public Water Supply Loan Fund (KPWSLF) will be held January 19, 2010. Due to the partial ARRA funding source, there are many additional requirements placed on the project including specific requirements for the construction phase engineering and inspection services. Allgeier, Martin & Associates has proposed to provide the construction phase engineering services in an amount not to exceed \$76,000.

MOTION: Move to approve Resolution No. R-10-06 for adoption.

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

8. Resolution No. R-10-07 – A Resolution to authorize a Consulting Agreement with Charlesworth & Associates for the City's property and liability insurance coverage.
- Finance Director Stephanie Richardson addressed the Commission stating property and liability insurance coverage for the City of Coffeyville will expire on May 1, 2010. This policy is typically put out for bids every three years; we are currently completing year one of the three-years. Charlesworth and Associates submitted a proposal to perform insurance renewal procurement services for all of the City's property and liability coverages excluding the electric department property and boiler and machinery insurance. The fee for these services will be \$2,150.

MOTION: Move to approve Resolution No. R-10-07 for adoption.

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

9. Resolution No. R-10-08 – A Resolution to execute an Annexation Agreement with Big Chief RV Park.
- City Manager Jeff Morris addressed the Commission stating Fred Wiggly with Big Chief RV Park is requesting the City annex property he owns on Highway 169 for the purpose of building an RV park. The annexation agreement is the first step toward annexing the property and outlines the steps necessary as well as the provisions for zoning and utilities.

MOTION: Move to approve Resolution No. R-10-08 for adoption.

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

10. Resolution No. R-10-09 – A Resolution to purchase a Titan TR7000 Tractor and camera controller for Stormwater and Wastewater Utilities.
- Public Works Director Chuck Shively addressed the Commission stating the Wastewater and Stormwater Utilities have budgeted to purchase a tractor to allow existing pipeline video equipment to be used in larger diameter pipes. The current video equipment can inspect pipes up to 21 inches in diameter, however, most stormwater lines as well as some of the larger wastewater lines are too large to be inspected with existing equipment. Staff has suspected problems with some of the larger lines for many years and this equipment will allow the department to investigate and determine what the problems are and what corrective actions are necessary.

MOTION: Move to approve Resolution No. R-10-09 for adoption.

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

11. Discussion on the 2011-2013 Airport Capital Improvement Project Submittal to the FAA.
- Engineering Superintendent Scott Massman addressed the Commission stating

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, JANUARY 12, 2010**

7

February 12, 2010 is the due date for the annual Airport Capital Improvement Plan. Copies of the projects submitted last year were available for Commissioner's review as these will be on the agenda for the next meeting.

EXECUTIVE SESSION

MOTION: Move to adjourn to executive session for discussion of employer-employee negotiations to reconvene on or before 9:45 p.m.

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

Time the meeting was reconvened: 9:45 p.m.

12. Resolution No. R-10-10 – A Resolution to approve City of Coffeyville wage changes effective January 1, 2010.

MOTION: Move to approve Resolution No. R-10-10 for adoption.

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

13. Comments from Commissioners and Staff

- City Manager Jeff Morris reported the following:
 - Expenses for snow removal following the recent storm
 - Trash bids will be finalized and sent out by e-mail for Commissioner's review; companies will be asked to bid on both curb and alley pickup, small and large trucks and having two men on each truck.
- City Clerk Cindy Price reported requests for qualifications for website design have been sent out.

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 reconvene on or before 10:45 p.m.

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

Time the meeting was reconvened: 10:45 p.m.

Mayor Gonzales announced there was no action to be taken following executive session.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales tax reports
2. Code Enforcement Department Reports

3. Hillcrest Golf Course Report

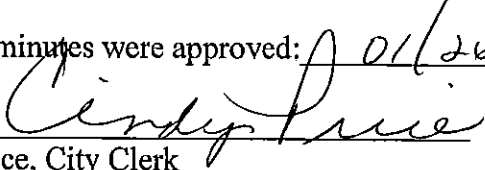
L. ADJOURNMENT

MOTION: Move to adjourn.

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

Time the meeting was adjourned: 11:09 p.m.

Date the minutes were approved: 01/26/10


Cindy Price, City Clerk