

**REGULAR COMMISSION MEETING MINUTES**  
**TUESDAY, JUNE 10, 2008**  
**6:30 P.M.**

The Board of Commissioners met in Regular Session at 6:30 p.m. with Mayor Virgil O. Horn, Jr., presiding.

Those in attendance were:

COMMISSIONER RICHARD GONZALES  
COMMISSIONER ALEC HENDRYX  
COMMISSIONER LOUIE HUMMEL  
COMMISSIONER PAM JONES

City Staff in attendance were:

CITY MANAGER JEFF MORRIS  
CITY CLERK CINDY PRICE  
CITY ATTORNEY PAUL KRITZ  
FINANCE DIRECTOR STEPHANIE RICHARDSON  
PUBLIC SERVICE DEPUTY DIRECTOR JIM BRADSHAW  
PLANNER/ARCHITECT DENNIS JACOBS  
FIRE CHIEF GREG ALLEN  
INSPECTOR JIM HAYES  
INSPECTOR LARRY TROTTER  
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA  
IT MANAGER CHRIS FELIX

- A. **CALL TO ORDER** – Mayor Horn
- B. **INVOCATION** – Mayor Horn
- C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

**D. CONSENT AGENDA ITEMS**

- 1. Regular City Commission Meeting Minutes – Tuesday, May 27, 2008
- 2. Special City Commission Meeting Minutes – Tuesday, June 3, 2008
- 3. 2008 Appropriation Ordinance No. AO-08-27 – \$794,182.40
- 4. 2008 Appropriation Ordinance No. AO-08-28 – (flood) \$ 25,950.34

MOTION: Move to approve the consent agenda as presented.

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

Flood expenditures to date: \$1,586,638.75  
Flood reimbursements to date: \$743,101.88

**REGULAR AGENDA ITEMS**

- E. **APPROPRIATION ORDINANCE**
- F. **PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).**
  - 1. Proclamation – Nursing Assistants’ Week June 12-19, 2008 – ready by Mayor Horn

**G. OTHER BUSINESS**

1. Comments from Public

- Jim C. Taylor, 704 Spruce spoke on behalf of a group of individuals opposed to developing property west of First and Overlook for multi-family residential. They are concerned the project is not compatible with existing zoning on adjoining property; the cost to get utilities to the property will be a burden on taxpayers; the city already has a number of vacant properties and local builders can meet the housing needs without bringing in outside developers.
- Max Williams, 3408 West First, asked about the property being outside the City limits.
- Leland Fouts, 3303 West First, expressed concern about the drainage on First Street once the property would be developed.
- Mary Wilson, owner of property at First and Overlook, stated she and her husband Jim Wilson have owned the property for a number of years. The time was never right before, but she feels it is right to sell the property for housing; she wants to help the community rebuild housing.

**H. OLD BUSINESS**

1. Ordinance No. S-08-12 – Second Reading of an Ordinance to rezone 122 West 7<sup>th</sup> Street

MOTION: Move that Ordinance No. S-08-12 be passed to Second Reading and approved for adoption.

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

**I. NEW BUSINESS**

1. Resolution No. R-08-80 – A Resolution to execute an Engineering Services Agreement with Bucher, Willis & Ratliff for an FAA project for reconstruction and resurfacing of airport taxiways.

- Public Service Deputy Director Jim Bradshaw addressed the Commission stating this project is for the engineering services to remove and replace the deteriorated concrete areas around the existing t-hangar areas and improve some of the existing taxiways. Staff recommends Bucher, Willis & Ratliff be awarded this project. This is a 95/5 grant; the cities share would be \$23,357.

MOTION: Move that Resolution No. R-08-80 be approved for adoption.

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

2. Resolution No. R-08-81 – A Resolution to execute Change Order #1 with Decker Construction for the rebuild of the Ron Stevenson Multi-Purpose facility at Walter Johnson Park.

- Public Service Deputy Director Jim Bradshaw addressed the Commission stating Decker Construction is requesting a change order for work done at the multi-purpose center. The

change order, in an amount not to exceed \$2,126, is resulting from the wall studs having to be removed when the floor is removed.

**MOTION:** Move that Resolution No. R-08-81 be approved for adoption.

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

3. Resolution No. R-08-82 – A Resolution to issue a purchase order to Sellers Equipment for a Kubota boom mower for the Public Service and Storm Water Utility Departments.

■ Public Service Deputy Director Jim Bradshaw addressed the Commission stating staff contacted Sellers Equipment and Martin Farm Power requesting a price quote on a new boom mower. Price quotes were received from both vendors; Sellers Equipment was the only one who had this type of equipment in stock and ready for delivery. Staff recommended a Model #M105 4WD Kubota boom mower be purchased from Sellers Equipment in an amount not to exceed \$72,485 for the Public Service and Storm Water Utility Departments.

**MOTION:** Move that Resolution No. R-08-82 be approved for adoption.

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

4. Resolution No. R-08-83 – A Resolution to continue an Engineering Services Agreement with Allgeier, Martin & Associates and modify the current rate schedule.

■ Public Service Deputy Director Jim Bradshaw addressed the Commission stating the City has a Civil Engineering Services Agreement with Allgeier, Martin & Associates with the purpose being to allow City staff to have engineering services performed in a timely manner for small projects or issues that arise which require such services. The current agreement specifies the rate schedule for calendar years 2006 and 2007. This amendment will modify the rate schedule for 2008.

**MOTION:** Move that Resolution No. R-08-83 be approved for adoption.

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

5. Resolution No. R-08-84 – A Resolution to certify the City of Coffeyville has authority to submit a grant application to the Kansas Housing Resource Corporation.

■ City Manager Jeff Morris addressed the Commission stating in response to the 2007 disasters in southeast and south central Kansas, the State Legislature passed, and the Governor signed SB417 creating the Kansas Development Grant Program to be administered by the KHRC. Under the program, KHRC receives \$4 million annually through 2015 from the State of Kansas to provide grants to eligible cities or counties for housing development activities. The resolution authorizes the City to submit the grant. The prioritized areas identified for infrastructure development include 1<sup>st</sup> & Overlook, Wilson property, for both multi-family and single family; North Edgewood and Gibson

Street, Phase II of Mansion Estate and the second phase of the Rolling Hills project. The amount requested is \$3,848,850; the City has identified the 10% match required.

**MOTION:** Move that Resolution No. R-08-84 be approved for adoption.

**ACTION:** THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER HENDRYX. ROLL CALL VOTE - ALL AYE EXCEPT COMMISSIONER JONES WHO VOTED NO.

6. Report on the American Electric Power Intervention

- Electric Utility Director Bernie Cevera addressed the Commission stating the Grand River Dam Authority has conditioned the power supply arrangement on specific changes to the transmission arrangements the City of Coffeyville uses to deliver power to its loads. GRDA required the City take delivery of power at the GRDA generator bus and arrange for network transmission service from the GRDA generator bus to the City's point of interconnection with American Electric Power. GRDA also required the term of this new network transmission arrangements match the term of the new power supply contract with GRDA. AEP has filed two dockets recently, the first being to cancel the previous transmission agreement, and the second is an executed agreement for the new network integration transmission service.

7. Ordinance No. G-08-03 – First Reading of an Ordinance to amend Chapter 26, Section 26-23 Rate Schedule Code 12 of the Coffeyville Code of Ordinances.

- Electric Utility Director Bernie Cevera addressed the Commission stating this modifies the electric rate code 12 to add an upper end to the number of kilowatts used per month.

**MOTION:** Move that Ordinance No. G-08-03 be approved for First Reading.

**ACTION:** THE MOTION WAS MADE BY MAYOR HORN AND SECONDED BY COMMISSIONER HUMMEL. ROLL CALL VOTE - ALL AYE

8. Ordinance No. G-08-04 – First Reading of an Ordinance to amend Chapter 26, Section 26-23 Rate Schedule Code 15 of the Coffeyville Code of Ordinances.

- Electric Utility Director Bernie Cevera addressed the Commission stating this modification is being requested for two reasons with the first being the new GRDA contract and the second is due to the new network transmission service. This rate will apply to both existing and prospective customers whose character of service meet the qualifications of the rate. The City currently has one customer who meets the criteria, Coffeyville Resources Nitrogen Fertilizer. The new rate is very competitive; probably 80% below the market rate. Negotiations are ongoing with the customer regarding a new power agreement.

**MOTION:** Move that Ordinance No. G-08-04 be approved for First Reading.

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

9. Resolution No. R-08-85 – A Resolution to execute an agreement with the Kansas Department of Transportation for improvements at new Wal-Mart location.

- City Attorney Paul Kritz addressed the Commission stating the City has executed an agreement with Wal-Mart to pay 95% of the infrastructure improvements for their new location at Highway 166 and CR 5300. The new Wal-Mart project will require additional changes to the highway work currently being designed by KDOT. The additional costs for this work are estimated to be \$1,014,000. Taxes generated by Wal-Mart will be dedicated to pay for these costs as well as other infrastructure improvements; there will not be a tax exemption granted to Wal-Mart.

MOTION: Move that Resolution No. R-08-85 be approved for adoption.

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

10. Comments from Commissioners or Staff

- Fire Chief Greg Allen will conduct a National Incident Management System training for Commissioners and department heads on Tuesday, June 17, 4:30 p.m.
- Quartz Mountain Aerospace is proceeding with their new business location in Coffeyville; they have begun to make offers to employees and are excited about the quality of workforce available here.
- The League of Kansas Municipalities will hold a board meeting in Coffeyville on June 12-13.
- Budget sessions with Commissioners are set to begin the week of July 14

**J. EXECUTIVE SESSION(s)**

1. Non-elected personnel

MOTION: Move to adjourn to Executive Session for discussion of non-elected personnel to reconvene on or before 9:15 p.m.

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

Time the meeting was reconvened: 9:15 p.m.

Mayor Horn stated no action would be taken as a result of the Executive Session.

**K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES**

1. Finance Department – Sales and property tax reports
2. Inspection Department – May building and inspection reports
3. Planning Commission – March 4 meeting minutes

**L. ADJOURNMENT**

MOTION: Move to adjourn.

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

Time the meeting was adjourned: 9:28 p.m.

Date the minutes were approved \_\_\_\_\_

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Cindy Price, City Clerk