

**REGULAR COMMISSION MEETING MINUTES**  
**TUESDAY, AUGUST 22, 2006**  
**6:30 P.M.**

The Board of Commissioners met in Regular Session at 6:30 p.m. with Mayor Robert York presiding.

Those in attendance were:

COMMISSIONER RICHARD GONZALES  
COMMISSIONER ALEC HENDRYX  
COMMISSIONER VIRGIL O. HORN., JR.  
COMMISSIONER LOUIE HUMMEL

City Staff in attendance were:

CITY MANAGER JEFF MORRIS  
CITY CLERK CINDY PRICE  
CITY ATTORNEY PAUL KRITZ  
FINANCE DIRECTOR STEPHANIE RICHARDSON  
PUBLIC WORKS DIRECTOR CHUCK SHIVELY  
WATER/WASTEWATER SUPERINTENDENT JIM BRADSHAW  
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA  
ENGINEERING SUPERINTENDENT SCOTT MASSMAN

- A. CALL TO ORDER** – Mayor York
- B. INVOCATION** – Rev. Ray Newman, First Southern Baptist Church, Dearing
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. MINUTES**
1. Regular City Commission Meeting Minutes – Tuesday, August 8, 2006  
ACTION: APPROVED AS PRESENTED
- E. APPROPRIATION ORDINANCE(s).**
1. 2006 Appropriation Ordinance No. AO-06-22 – \$3,238,202.59  
MOTION: Move to approve Appropriation Ordinance No. AO-06-22 in the total amount of \$3,238,202.59 for adoption.  
  
ACTION: THE MOTION WAS MADE BY COMMISSIONER HUMMEL AND SECONDED BY COMMISSIONER GONZALES. ROLL CALL VOTE - ALL AYE.
  2. 2006 Appropriation Ordinance No. AO-06-23 (Hummel) – \$ 1,753.09  
MOTION: Move to approve Appropriation Ordinance No. AO-06-23 in the total amount of \$1,753.09 for adoption.  
  
ACTION: THE MOTION WAS MADE BY MAYOR YORK AND SECONDED BY COMMISSIONER HORN. ROLL CALL VOTE - ALL AYE EXCEPT COMMISSIONER HUMMEL WHO ABSTAINED.
- F. PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).**
1. Public Hearing FY 2007 Municipal Budget
    - Finance Director Stephanie Richardson addressed the Commission stating the FY 2007 budget has been full of challenges including a 6.3% decrease in estimated assessed valuation

as a result of Coffeyville Regional Medical Center being on the tax rolls last year and subsequently removed. Sales tax revenues have increased 12%. No additional transfers from utilities into the General Fund are being proposed. Staff is recommending levying the same tax dollars as last year; this will result in a mill increase. The total mill levy may change depending on what the final assessed valuation is.

- Mayor York opened the Public Hearing
  - No comments were made; Mayor York closed the Public Hearing
2. Resolution No. R-06-73 – A Resolution to authorize the certification of the FY 2007 City of Coffeyville Municipal Budget.

MOTION: Move that Resolution No. R-06-73 be approved for adoption.

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

3. Mayor York read a proclamation for the Boy Scouts.

**G. OTHER BUSINESS**

1. Comments by the Public
  - Charles Gann, 803 West Sixth Street, reminded staff the fence around the transformer at the Senior Citizens building needs to be repaired.

**H. OLD BUSINESS**

1. Ordinance No. G-06-05 – Second Reading of an Ordinance relating to the prohibition of smoking in public areas of city owned buildings.
  - This item was tabled to give staff time to review the effect upon leased portions of City Hall.

**I. NEW BUSINESS**

1. Resolution No. R-06-74 – A Resolution to execute an Engineering Services Agreement with Allgeier Martin & Associates, Inc., for transmission and distribution system upgrades for the electric utility system.
  - Electric Utility Director Bernie Cevera addressed the Commission stating the engineering firm of Allgeier, Martin & Associates has developed much of the transmission and distribution system serving the City of Coffeyville. In anticipation of additional transmission and distribution system upgrades and improvements that may be required in the future, it is advantageous to have a Professional Services Agreement in place with them.

MOTION: Move that Resolution No. R-06-74 be approved for adoption.

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

2. Resolution No. R-06-75 – A Resolution acknowledging receipt of an inspection report issued by Chubb Group of Insurance Companies on the utility power boiler equipment dated August 9, 2006.

- Electric Utility Director Bernie Cevera addressed the Commission stating Chubb Insurance issued an inspection report on the utility power boiler equipment dated August 9, 2006. The equipment was found to be in satisfactory condition for continued operation and certification.

MOTION: Move that Resolution No. R-06-75 be approved for adoption.

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

3. Resolution No. R-06-76 – A Resolution to authorize issuance of a purchase order for property insurance coverage on the electric utility system and for boiler and machinery insurance on the power plant effective September 1, 2006.
  - Finance Director Stephanie Richardson addressed the Commission stating the renewal quote for property insurance coverage and boiler and machinery insurance coverage on the City's power plant and distribution substations from Chubb Insurance was received. Traditionally the City bids insurance every three years; this is the second of the three years. The premium quoted is \$177,964. While there was no rate change from the expiring policy, there was a 3% exposure increase resulting in a 3% premium increase over the previous year of \$5,126.
  - Commissioner Hummel stated concern about the renewal being consistent with what was included last year. To be competitive and receive the insurance last year, Coffeyville Insurance Associates paid for testing of oil samples including pulling the samples. Hummel asked Coffeyville Insurance Associates representative Rob Gill if this was going to be included this year. Gill stated it would not be.
  - Commissioners requested this insurance be rebid next year.

MOTION: Move that Resolution No. R-06-76 be approved for adoption.

ACTION: THE MOTION WAS MADE BY MAYOR YORK AND SECONDED BY COMMISSIONER HORN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONERS GONZALES AND HUMMEL WHO VOTED NO.

4. Resolution No. R-06-77 – A Resolution to authorize approval of a grant offer with Federal Aviation Administration for construction of an airport perimeter fence as part of FAA Project 3-20-0011-10-2006.
  - Engineering Superintendent Scott Massman addressed the Commission stating the City has entered into a grant application agreement with the Federal Aviation Administration for the acquisition of a grant to construct an airport perimeter fence. Upon approval of the grant agreement the low bidder, Ninemire Fence Construction, will be accepted to construct the fence project. This is a 95/5 grant with the city's portion \$21,634 of the total \$432,680.

MOTION: Move that Resolution No. R-06-77 be approved for adoption.

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

5. Resolution No. R-06-78 – A Resolution to adopt a Municipal Water Conservation Plan for the City of Coffeyville Water Utility.

- Public Works Director Chuck Shively addressed the Commission stating one of the requirements of state funded grant or loan applications for Water Treatment or Distribution is the adoption of a Water Conservation Plan. KDHE inspections also document whether a Water Conservation Plan is in place. Although not specifically required at this time by Kansas Administrative Regulations, a Water Conservation Plan is considered by the State, and its agencies, as a sign of good management of our natural resources. It is also considered by the Water Resources Board when weighing allocation of Water rights, etc. The City of Coffeyville approved a Water Conservation Plan, along with a Water Drought Emergency Ordinance on May 26, 1998. Recently the Kansas Water Office requested the City modify the plan to be compatible with a new memorandum of agreement between state agencies for management of the Verdigris River Basin. Upon approval, the modified water conservation plan will be sent to the State for final approval.

MOTION: Move that Resolution No. R-06-78 be approved for adoption.

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

6. Resolution No. R-06-79 – A Resolution to execute a construction contract with Utility Maintenance Contractors, LLC, for the FY2005 CDBG Sanitary Sewer Rehabilitation Project.

- Public Works Director Chuck Shively addressed the Commission stating on August 9, 2006, bids were opened for a construction project which consists of rehabilitation of sanitary sewer lines, manholes and related street and alley work in an area roughly bounded by Willow Street on the west, Santa Fe Street on the east, Fifth Street on the north and 11<sup>th</sup> Street on the south. This project is the next step in the City's ongoing sanitary sewer infiltration and inflow reduction efforts and is partially funded by a Community Development Block Grant up to \$400,000. The project was originally bid in May, however, all bids were rejected as the low bid was \$1,234,567 while the budget for construction was \$717,940. After the bid rejection, the project plans and specs were modified to change the construction method for the majority of the project from pipe bursting to cured in place pipe lining. Pipe bursting consists of breaking the old pipe out and pulling a new pipe into its place, then digging up each service connection and attaching it to the new pipe. Cured in place pipe lining consists of forming a new pipe inside the existing pipe, then cutting out a hole from the inside of the new pipe for each service connection. The per foot cost of pipe bursting has increased dramatically in recent years, while the cost of cured in place pipe lining has dropped. Two bids were received when the project was rebid with Utility Maintenance Contractors the low bidder. Due to the nature of underground utility rehabilitation, the exact number of service connections and the number and depth of spot repairs cannot be known until construction proceeds, so numbers used are an estimate. Turner Consulting will provide periodic inspection and city staff will perform the day-to-day inspection.

MOTION: Move that Resolution No. R-06-79 be approved for adoption.

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

7. Resolution No. R-06-80 – A Resolution to execute an eight-year Farm Lease Agreement with Muller Pumpkin Creek Farms.
- City Attorney Paul Kritz addressed the Commission stating that Mark and Lisa Muller, Muller Pumpkin Creek Farms, currently have a five-year lease on this property adjacent to the airport. This lease extends the terms to eight years at \$5,000 per year with the in kind improvements increased to \$7,000 per year from \$6,000. Kritz stated the City is pleased with the work the Mullers have performed on the property.

MOTION: Move that Resolution No. R-06-80 be approved for adoption.

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

8. Discussion and action to approve a Cereal Malt Beverage application for Jiggs Tavern located at 1701 West Fourth Street in Coffeyville.
- City Clerk Cindy Price addressed the Commission stating all paperwork has been received regarding this application except for the State Health Department report.

MOTION: Move to approve a Cereal Malt Beverage application for Jiggs Tavern located at 1701 West Fourth Street in Coffeyville contingent upon final paperwork from the State Health Department.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY MAYOR YORK. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER HORN WHO ABSTAINED.

9. Discussion and action to appoint three individuals to serve on the Board of Zoning Appeals.  
Applicants: Bessie Scofield, Kenneth Winston, David Yarbrough

MOTION: Move to appoint Bessie Scofield, Kenneth Winston and David Yarbrough to an unexpired term running through October 1, 2006, and a full term running through October 1, 2009 on the Board of Zoning Appeals.

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

10. Discussion and action to appoint two individuals to serve on the Montgomery County Juvenile Corrections Advisory Board.

Applicants: Toby Loomis, Winifred Flowers

MOTION: Move to appoint Toby Loomis and Winifred Flowers to an unexpired term running through June 30, 2007 on the Montgomery County Juvenile Corrections Advisory Board.

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

11. Comments from Commissioners or Staff

**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 YORK AND SECONDED BY COMMISSIONER HORN. ROLL CALL VOTE – ALL AYE.

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

Mayor York announced no action to be taken as a result of the Executive Session.

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

1. Fire Department – July report
2. Police Department – July report
3. Coffeyville Recreation Commission – Minutes of June 14 meeting

**L. ADJOURNMENT**

MOTION: Move to adjourn.

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

Time the meeting was adjourned: 9:25 p.m.

The next meeting will be held Tuesday, September 12, 2006

Date the Minutes were approved \_\_\_\_\_

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Cindy Price, City Clerk