

REGULAR COMMISSION MEETING MINUTES
TUESDAY, DECEMBER 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.
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** – Rev. Wayne Martin, Emmanuel Southern 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, November 10, 2009
- 2. 2009 Appropriation Ordinance No. AO-09-42 – \$916,555.26
- 3. 2009 Appropriation Ordinance No. AO-09-43– (flood) \$ 1,267.27

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. Public Hearing to vacate a portion of Spruce Street.
 - City Attorney Paul Kritz stated 42 notices were mailed to property owners within 200 feet of the area proposed to be vacated and the Planning Commission discussed it at their recent meeting and voted unanimously to recommend the street be vacated.
 - Mayor Gonzales opened the public hearing

- Tom Tatman, President of Acme Foundry, stated Acme has requested the vacation of a portion of Spruce Street for two purposes, the first being the safety of their employees and the second is for future expansion. Some 350 foundries have closed throughout the United States, and Acme wants to take advantage of those closings by expanding their business.

- Mayor Gonzales closed the public hearing

2. Ordinance No. S-09-07 – First Reading of an Ordinance to vacate a portion of Spruce Street.

MOTION: Move to approve Ordinance No. S-09-07 for First Reading.

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

G. COMMENTS FROM THE PUBLIC

- George Chronister, 512 Willow, questioned the expenditures on Veterans Memorial Stadium and Aquatic Center.
- Stanley Klaus, 1506 Elm, stated there is a problem with the wall on the northeast side of Veterans Memorial Stadium.

H. OLD BUSINESS

1. Resolution No. R-09-192 – A Resolution to approve t-hangar rental rates at the Coffeyville Municipal Airport.

- Finance Director Stephanie Richardson addressed the Commission stating at the request of Commissioners additional information was gathered on the proposal to increase t-hangar rental rates. Surrounding airport rates range anywhere from \$50 to \$200 depending on the size and condition of the hangars. Coffeyville is required to have ten fixed wing aircraft housed on the airport property to qualify for FAA grant funding. The last report filed in February, 2009, indicated there are 27 validated aircraft currently housed at the airport facility. Over the past years, revenues at the airport have remained relatively the same while the cost to operate and maintain the airport has increased. Much of this is due to the loss of mowing services previously performed by Dixon Industries. It has been 25 years since the hangar rates have been increased.

- John Wright, Tom Hargrove, Bud Totten and Bill Martin, all pilots who are renting hangars, stated how important the airport is to the community and recommended the City consider a lesser increase.

MOTION: Move to approve Resolution No. R-09-192 for adoption raising the rental rate to \$75 for corner hangars and \$70 for center hangars.

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

I. NEW BUSINESS

1. Discussion and action to appoint two people to new four-year terms on the Coffeyville Regional Medical Center Board of Trustees from January 1, 2010 to January 1, 2014.

Applicants: Bernie Cevera, Judy Hiner, Harold L. O'Connor

- Stan Eli and Max Williams expressed support for Judy Hiner and Harold O'Connor.
- Applicants Bernie Cevera and Harold O'Connor spoke to Commissioners about their desire to be appointed to the hospital board; Hiner was unavailable to attend meeting.

MOTION: Move to appoint Louie O'Connor and Judy Hiner to four-year terms on the CRMC Board of Trustees serving from January 1, 2010 to January 1, 2014.

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

2. Discussion and action to appoint two people to new three-year terms on the Planning Commission from January 1, 2010 to January 1, 2013.

Two appointees must reside outside the city limits.

Applicants: Mike Mongan, Pat O'Connell, Max Williams

One appointee must reside inside the city limits.

Applicants: no applicants

- Applicants Williams, Mongan and O'Connell all addressed the Commission stating their desire to be appointed to the Planning Commission.

MOTION: Move to appoint Mike Mongan and Max Williams to three-year terms on the Planning Commission serving from January 1, 2010 to January 1, 2013.

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

3. Ordinance No. S-09-08 – First Reading of an Ordinance to rezone 2410 South Brown from I-1 Light Industrial to I-2 Heavy Industrial for the purpose of establishing a metal products recycling center.

- Architect/Planner Dennis Jacobs addressed the Commission stating John McClure representing Heymann Iron & Metal Company, is requesting to rezone property located at 2410 South Brown Street from I-1 Light Industrial to I-2 Heavy Industrial for the purpose of operation of a metal products recycling center. The Planning Commission unanimously recommended the rezoning. Gene McClure, Max Williams, Tom Tatman, Mark Muller, Bill Martin, Ryan Thompson, Chuck Kudrick, Jim Taylor, Jr., Rick Thompson all spoke in favor of the rezoning stating this is a processing facility not a salvage yard; Heymann does business with many local businesses and industries and they have plans to eventually become a recycling center. Raymond Cook, Les Walters, Engene Brady, Raylene Cook and John Tosh all spoke against the rezoning indicating it will increase truck traffic, noise and devalue properties in the area.

MOTION: Move that Ordinance No. S-09-08 be approved for First Reading

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

4. Resolution No. R-09-193 – A Resolution to identify preferred vendors to provide chemicals for the Water Treatment Plant for FY2010.

■ Public Works Director Chuck Shively addressed the Commission stating bids were requested for chemicals to be used at the Water Treatment Plant for 2010. Following review, staff recommended the preferred vendor for each chemical with the low bidder designated except for the lime and the cationic polymer. The designation as preferred vendor documents the intent to purchase the chemicals to be used at the Water Treatment Plant from the specified vendors unless the vendor loses its competitive advantage due to factors such as price, quality, availability, service, etc.

MOTION: Move to approve Resolution No. R-09-193 for adoption.

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

5. Resolution No. R-09-194 – A Resolution to approve a Service Agreement with Criswell Engineering, LLC for the Electric Utility Department.

■ Electric Utility Director Bernie Cevera addressed the Commission stating the municipal electric utility maintains distribution and transmission substations, a distribution system and a generating plant. Each of these facilities contain a certain amount of electrical apparatus or machinery that should receive preventative maintenance on a regularly scheduled basis. Roy Criswell is a competent engineer with experience in consulting, power systems, commissioning, relaying and substation maintenance. Criswell has provided preventative maintenance work in 2008 and 2009 and staff recommends renewing the agreement for 2010.

MOTION: Move to approve Resolution No. R-09-194 for adoption.

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

6. Ordinance No. G-09-08 – First Reading of an Ordinance to amend provisions of the International Fire Code relating to liquid petroleum gas storage (propane) within the City of Coffeyville.

■ Fire Chief Greg Allen addressed the Commission stating liquefied petroleum gas, or propane, is commonly used for heating and cooking purposes in recreational vehicles, mobile homes, rural homes, barbeques, fuel for vehicles as well as its many industrial uses. It is an excellent fuel which can pose a significant danger to occupants and firefighters. In the last couple of years, larger 125-gallon propane tanks have been showing up hooked to RV's. These are convenient for the owners, however, they can pose a significant fire safety issue. Therefore, staff is recommending 30-gallon tanks be the largest allowed on residential property. This ordinance will not apply to commercial dealers.

- Bruce Bailey, 1317 Mulberry, stated it is unnecessary to regulate the size of the propane tanks.

MOTION: Move that Ordinance No. G-09-08 be approved for First Reading.

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

7. Resolution No. R-09-195 – A Resolution to convey property located at 809 Minnesota to Shirley Don Cartwright.

- City Clerk Cindy Price addressed the Commission stating the City of Coffeyville owns a vacant lot located at 809 Minnesota. The owner of property located at 807 Minnesota, Shirley Don Cartwright, purchased additional property on Minnesota which he believed to be 809 Minnesota, and for the past three years, he has been mowing and maintaining the property. Once he determined he did not actually own the property, he contacted the Code Enforcement office about acquiring the lot. Staff determined they have no need for the lot and recommend conveying it to Mr. Cartwright. This will get the property back on the tax roll and relieve the City of any future maintenance on the lot.

MOTION: Move to approve Resolution No. R-09-195 for adoption.

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

8. Ordinance No. S-09-09 – First Reading of an Ordinance to authorize the imposition of a general one-half percent citywide retailers' sales tax.

- City Manager Jeff Morris addressed the Commission stating with the successful passage of the one-half cent sales tax special question election on December 1, 2009, the next step in the implementation process is to approve an ordinance to authorize the collection of the tax. Once approved, the ordinance will be submitted to the Kansas Department of Revenue so that collection may begin April 1, 2010. Between now and the time revenue begins coming in, staff will update the street assessment and begin to identify streets in need of renovation/repair according to their condition and traffic counts. This will then be presented to the commission for discussion.

MOTION: Move that Ordinance No. S-09-09 be approved for First Reading.

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

9. Discussion and action to set a public hearing to amend the FY2009 budget.

MOTION: Move to set a public hearing to amend the FY2009 budget for Tuesday, December 22, 6:30 p.m.

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

10. Resolution No. R-09-196 – A Resolution to establish golf course annual pass fees at Hillcrest Golf Course.

- Finance Director Stephanie Richardson addressed the Commission stating last year, staff worked with a task force committee to establish new rates for operation of Hillcrest Golf Course and implemented new annual pass and daily green fees. Staff is

recommending the rates remain the same except include a \$100 discount for the annual pass fees if they are paid in full. This will not apply to the student or junior fees. Staff also recommends lowering the age to qualify for the senior rate to 62.

MOTION: Move to approve Resolution No. R-09-196 for adoption.

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

11. Resolution No. R-09-197 – A Resolution to approve a change order to Elliott Ebara Group for repair of the Elliott Turbine #6.

- Electric Utility Director Bernie Cevera addressed the Commission stating the Elliott steam turbine required an emergency repair in July 2008 caused by a loose set screw. When this was repaired, there were other issues identified, and in early 2009, Sega performed a plant assessment to identify and prioritize repairs and parts procurement to ensure the safe and reliable operation of the Generation Plant. Once repairs began, there were additional items that needed to be addressed which results in a \$57,832 change order. This will be the last major overhaul of the Elliott steam turbine; it will be in good condition once the repairs are made and can run on 24 hour notice and continue to provide capacity sales revenue to the City.

MOTION: Move to approve Resolution No. R-09-197 for adoption.

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

12. Comments from Commissioners and Staff

- Cindy Price reported Amazon.com has provided 18 picnic tables for the campground areas at Walter Johnson Park and Asbury Village has donated a toddler swing for Pfister Park.
- Public Works Deputy Director Jim Bradshaw presented quotes to resurface the six tennis courts and re-stripe the two basketball courts at LeClere Park. The quotes ranged from \$21,200 to \$206,672. The low bidder was asked to quote on just recoating the base lines with that cost being \$2,500 per court. Commission requested staff contact the school district and recreation commission to determine their interest in helping with the funding.
- Commissioner Hendryx asked about a date in February for a budget review.
- Commissioner Taylor stated he is entitled to state the thoughts of those he was elected to represent; he asked about setting a work session for the upcoming bid process and was disappointed in the lack of information presented to the Commissioners by housing developers.

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7

J. EXECUTIVE SESSION(s)

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales Tax Reports
2. Building Permit Report
3. Code Enforcement Department Reports
4. Planning Commission Minutes

L. ADJOURNMENT

MOTION: Move to adjourn.

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

Time the meeting was adjourned: 10:07 p.m.

Date the minutes were approved: _____

Cindy Price, City Clerk