

REGULAR COMMISSION MEETING MINUTES
THURSDAY, DECEMBER 20, 2007
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
ENGINEERING SUPERINTENDENT SCOTT MASSMAN
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA
POLICE CHIEF JOE HUMBLE
TREASURER ANGIE NADEN
ELECTRIC GENERATION SUPERINTENDENT DAVE HANNA
ELECTRIC GENERATION OPERATOR AARON IRVING
ELECTRIC GENERATION OPERATOR MIKE SHOOK
IT MANAGER CHRIS FELIX

A. CALL TO ORDER – Mayor Horn

B. INVOCATION – Rev. Virgil O. Horn

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. MINUTES

1. Regular City Commission Meeting Minutes – Tuesday, December 11, 2007
ACTION: Approved as presented

E. APPROPRIATION ORDINANCE(s).

1. 2007 Appropriation Ordinance No. AO-07-47 – \$825,995.31
MOTION: Move to approve Appropriation Ordinance No. AO-07-47 in the total amount of \$825,995.31 for adoption.

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

2. 2007 Appropriation Ordinance No. AO-07-48 (Hummel) – \$ 4,943.74
MOTION: Move to approve Appropriation Ordinance No. AO-08-48 in the total amount of \$4,943.74 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER HENDRYX AND SECONDED BY COMMISSIONER GONZALES. ROLL CALL

VOTE - ALL AYE EXCEPT COMMISSIONER HUMMEL WHO ABSTAINED.

3. 2007 Appropriation Ordinance No. AO-07-49 (Flood) – \$3,430.34
MOTION: Move to approve Appropriation Ordinance No. AO-07-49 in the total amount of \$3,430.34 for adoption.

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

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

1. Public Hearing – FY2007 Budget Amendment

- Finance Director Stephanie Richardson addressed the Commission stating there are six funds that are included in the FY2007 budget amendment: General, Employee Benefit, Police VIN, Internet Utility, Electric Debt Service and Water/Wastewater Utility. The same requirements must be met for amending a budget as for adopting a budget – publishing a Notice of Hearing, conducting a public hearing and filing two copies with the County clerk.

- Mayor Horn opened the Public Hearing

- There being no comments, Mayor Horn closed the Public Hearing.

2. Resolution No. R-07-150 – A Resolution to authorize the certification of the 2007 Budget Amendment for the General, Employee Benefit, Police VIN, Internet Utility, Electric Debt Service and Water/Wastewater Utility funds.

MOTION: Move to approve Resolution No. R-07-150 for adoption.

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

G. OTHER BUSINESS

1. Comments from Public

- Joyce Adair, 1122 West Tenth, currently owns five dogs. She requested the current ordinance which allows only three dogs at a residence be amended to allow more dogs.

H. OLD BUSINESS

1. Ordinance No. G-07-18 – Second Reading of an Ordinance to dissolve the Historical Commission.

MOTION: Move that Ordinance No. G-07-18 be passed to Second Reading and approved for adoption.

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

I. NEW BUSINESS

1. Resolution No. R-07-151 – A Resolution to issue a purchase order to Coffeyville Insurance Associates, agent for Ace Property & Casualty for Airport Liability Insurance Coverage.
 - Finance Director Stephanie Richardson addressed the Commission stating staff recently requested quotes from two different companies for the City’s airport Liability Insurance. Two quotes were received with the quote from Coffeyville Insurance Associates being \$1,945 which is 22.8% lower than last year’s premium.

MOTION: Move to approve Resolution No. R-07-151 for adoption.

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

2. Resolution No. R-07-152 – A Resolution to issue a purchase order to KMIT for workers compensation insurance for 2008.
 - Finance Director Stephanie Richardson addressed the Commission stating the City changed insurance carriers for work comp insurance coverage to the Kansas Municipal Insurance Trust (KMIT) in 2005. At the time of the change KMIT coverage was contingent upon the City agreeing to participate in quarterly safety audit visits, moving toward the achievement of a “gold” safety rating in the program and obtaining work comp certificates of insurance from any and all contractors used by the City. The City has achieved “gold” status the last two years and obtained a 20% premium discount this year. The City’s experience mod has decreased from .97 to .94 this year with the renewal premium decreasing 9.65 over last year.

MOTION: Move to approve Resolution No. R-07-152 for adoption.

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

3. Resolution No. R-07-153 – A Resolution to execute a construction contract for demolition and disposal of 14 properties for the 2006 CDBG Demolition Project.
 - City Treasurer Angie Naden addressed the Commission stating bids were solicited for demolition of the 14 remaining properties on the 2006 CDBG demolition project. Bids were received from five companies. The low bidder was Scott Construction out of Ottawa at \$33,150. The only local bidder was Muller Construction at \$34,959. This bid is \$152 higher than the low bid with the purchasing policy 5% rule. Scott Construction bid one property at 601-603 East Fourth Street sight unseen at a price of \$750. This is the worst property on the list and staff was concerned about this low bid. Therefore, staff recommended the bid be awarded to Muller Construction.

MOTION: Move to approve Resolution No. R-07-153 for adoption.

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

4. Resolution No. R-07-154 – A Resolution to issue a purchase order to Joe Watt Auto Sales for two police package vehicles.

■ Police Chief Joe Humble addressed the Commission stating bids were requested for two police package vehicles. Staff recommends accepting Joe Watt's bid for two used vehicles for \$33,997 with a \$5,000 trade in for total cost of two used vehicles at \$28,997.00. Commissioner Hendryx was concerned about not purchasing locally and suggested investigating the purchase of GM vehicles. Humble stated the vehicles they speced were rear wheel drive vehicles which perform better for police vehicles, however, he will review information on Impalas as well as check with other agencies regarding their use of Impalas prior to purchasing additional vehicles.

MOTION: Move to approve Resolution No. R-07-154 for adoption.

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

5. Resolution No. R-07-155 – A Resolution to declare the boundary lines and city limits of the City of Coffeyville.

■ Engineering Superintendent Scott Massman addressed the Commission stating the City annexed a portion of property located between the Verdigris River and County Road 5300 this past year. A change in the City limits requires a declaration be made and filed with the state and county offices.

MOTION: Move to approve Resolution No. R-07-155 for adoption.

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

6. Discussion and action to approve Cereal Malt Beverage licenses for 2008.

■ City Clerk Cindy Price presented a list of applicants for 2008 Cereal Malt Beverage licenses noting all met the requirements set out by state statute except Western Plains/Jump Start which is not currently open and available for inspection. The Montgomery County Fair Association application is acted upon separately from the other renewals as they are exempted from the City ordinances prohibiting the sale of alcohol in public places.

MOTION: Move to approve Cereal Malt Beverage licenses for 2008 as presented.

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

7. Resolution No. R-07-156 – A Resolution to approve the renewal of the Montgomery County Fair Association's Cereal Malt Beverage license for 2008.

MOTION: Move to approve Resolution No. R-07-156 for adoption.

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

8. Resolution No. R-07-157 – A Resolution to execute a right-of-entry for construction agreement with CVR Energy to access a borrow area for repair of the Coffeyville levee.
- Engineering Superintendent Scott Massman addressed the Commission stating the City has contacted CVR Energy to use fill dirt from their property for levee repair. There will be no charge for the dirt; CVB has requested the city stockpile dirt to be used for repair of their levee.

MOTION: Move to approve Resolution No. R-07-157 for adoption.

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

9. Electric Utility Reports

- Electric Utility Director Bernie Cevera reviewed a four-month power supply report and also the North American Electric Reliability Corporation Regional Compliance Program.

10. Comments from Commissioners or Staff

- City Manager Jeff Morris reported on the following:
 - Meeting with representatives of PINCH and the Chamber of Commerce; the Chamber will provide PINCH with a list of parade participants and help market the parade through the Chamber newsletter and in the newspaper.
 - Staff is working to set up a meeting with Micky Davis regarding the flood mitigation buyout program.
- Commissioner Jones asked if there was a City Ordinance relating to house numbering
- Commissioner Hendryx asked about enforcement of commercial building codes adopted earlier in the year.

J. EXECUTIVE SESSION(s)

1. Attorney-Client Privilege

MOTION: Move to adjourn to Executive Session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship to reconvene on or before 9:10 p.m.

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

Time the meeting was reconvened: 9:10 p.m.

Mayor Horn stated that was no action to be taken as a result of the Executive Session.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Inspections Department – Building Permit Report
2. CRMC – December Board meeting information
3. Correspondence from Rep. Todd Tiaht regarding Homeland Security grant award

4. Coffeyville Public Library – Minutes of Nov. 13, 2007, meeting

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: 9:30 p.m.

Date the minutes were approved _____

Cindy Price, City Clerk