REGULAR COMMISSION MEETING MINUTES
TUESDAY, JANUARY 8, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
SPECIAL PROJECTS OFFICER JIM BARNETT
WATER/WASTEWATER DIRECTOR CHUCK SHIVELY
ELECTRIC UTILITY DIRECTOR JEFF TULLIS
DIRECTOR OF PLANNING & ENGINEERING JEFF PASSANTINO

A. INVOCATION.

1. Reverend Marcy A. Campbell, Skypilot Counseling Services.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular Commission Meeting Minutes- Thursday, December 20, 2001.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-01-67 - $1,462,727.74

MOTION: Move to approve Appropriation Ordinance No. AO-01-67 in the total amount of $1,462,727.74 for adoption.

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

2. Appropriation Ordinance No. AO-01-68 (Baldwin) - $1,678.81

MOTION: Move to approve Appropriation Ordinance No. AO-01-68 in the total amount of $1,678.81 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO ABSTAINED.

3. Appropriation Ordinance No. AO-01-69 (Edwards) - $2,410.39

MOTION: Move to approve Appropriation Ordinance No. AO-01-69 in the total amount of $2,410.39 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER EDWARDS WHO ABSTAINED.

4. Appropriation Ordinance No. AO-01-70 (Trotter) - $387.91

MOTION: Move to approve Appropriation Ordinance No. AO-01-70 in the total amount of $387.91 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO ABSTAINED.

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

1. Introduction- Wayne R. Gudmonson, P.E.
Area Engineer
Kansas Department of Transportation
Independence, KS

- Wayne R. Gudmonson, Area Engineer with the Kansas Department of Transportation, introduced himself stating he looks forward to working with the City on their upcoming projects and praised the City for the outstanding job on their infrastructure.

G. OLD BUSINESS.

1. Second Reading of Ordinance No. S-02-01: To authorize the execution of an amendment to the loan agreement between Coffeyville, Kansas and the State of

Kansas, acting by and through the Kansas Department of Health and Environment for the purpose of obtaining a loan from the Kansas Public Water Supply Loan Fund for the purpose of financing a public water supply project; establishing a dedicated source of revenue for repayment of such loan; authorizing and approving certain documents in connection therewith; and authorizing certain other actions in connection with the loan agreement.

- Water/Wastewater Director Chuck Shively addressed the Commission stating there have been no changes since the first reading of this ordinance.

MOTION: Move that Ordinance No. S-02-01 be passed to Second Reading and approved for adoption.

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

H. NEW BUSINESS.

1. Resolution No. R-02-01: To authorize the execution of the necessary closeout documents and issuance of final payment in the amount of $27,006.81, inclusive of remaining balance and construction changes, to the Re-Con Company, Inc. of Oklahoma City, OK for closeout of contract CVE-00-1LM – labor & materials contract for modifications to electric utility substations A, B, C, D & E.

- Electric Utility Director Jeff Tullis addressed the Commission stating this is the second of three projects in the Electric Department relating to the 69kV lines and this closeout is basically a housekeeping matter. The majority of the project was completed during the summer of 2000 but the final cleanup was not completed until 2001 after both 69kV line projects reached a point of substantial completion. It is now time for the City to close out the project and issue both a certificate of completion and final payment to the contractor.

MOTION: Move to approve Resolution No.R-02-01 for adoption.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY MILLER. ROLL CALL VOTE – ALL AYE.

2. Resolution No. R-02-02. To authorize the execution of a construction contract with Underground Utilities, Inc. in the sum of $89,350.00 for the Industrial Park Water Tower Improvements Project (Kansas Public Water Supply Loan Fund Project No. 2026), subject To Kansas Department Of Health & Environment approval and contingent upon submittal of all required documentation by Underground Utilities, Inc.

- Water/Wastewater Director Chuck Shively addressed the Commission stating that on December 10, 2001, bids were opened for construction of improvements to the

Industrial Park Water Tower, which is one of the two projects being funded by Loan No. 2026 from the Kansas Public Water Supply Loan Fund (KPWSLF) through the Kansas Department of Health & Environment (KDHE), which the City Commission authorized on March 27, 2001. The other project funded through the loan is the Pfister Park Water Line Phase 2 project. This project consists of performing the necessary rehabilitation on the tank, and installing a pump at the base of the tank, which would circulate water through the tank on a regular basis, to eliminate the possibility of stagnant water in the tank. This would keep the volume of water available for large volume demands, such as fire flows and to cushion short-term pressure drops for industries. Staff recommends awarding the contract to Underground Utilities.

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

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

3. Resolution No. R-02-03: To authorize the execution of a construction contract with Nowak Construction Co., Inc. in the sum of $244,140.00 for the Pfister Park Water Line Phase 2 Project (Kansas Public Water Supply Loan Fund Project No. 2026), subject to Kansas Department Of Health & Environment approval and contingent upon submittal of all required documentation by Nowak Construction Co., Inc.

- Water/Wastewater Director Chuck Shively addressed the Commission stating that on December 10, 2001, bids were opened for construction of Phase 2 of the Pfister Park Water Line project, which is one of the two projects being funded by Loan No. 2026 from he Kansas Public Water Supply Loan Fund (KPWSLF) through the Kansas Department of Health & Environment (KDHE) authorized by the Commission in March of 2001. This project consists of completing the loop of the water line recently constructed in Pfister Park. The existing line ends in the vicinity of North Buckeye and Veterans Drive. The proposed project would extend the new line north to Seaton Road, west to Cline Road, south along Cline Road to a point near golf course entrance and west to tie back into the recently constructed line near the water storage reservoirs. Completion of the loop will improve the water pressure and reliability of service to existing City facilities and residents in the Pfister Park area, as well as serving future plans in Pfister Park and allowing for service to any residential, commercial, or industrial growth north and west of the park. Staff recommends awarding the contract to Nowak Construction.

MOTION: Move to approve Resolution No.R-02-03 for adoption.

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

4. Resolution No. R-02-04: To authorize the execution of Change Order Number 2 in the sum of $4,707.12 to the contract with LaForge & Budd Construction Co., Inc. for construction of the 4th and Sunflower Stormwater Drainage Improvements. (*CDBG Grant Project # 98-CP-006*)
   - Director of Planning an Engineering Jeff Passantino addressed the Commission stating that this is the last project from the Community Development Block Grant #98-CP-006. This is for a change order for the 4th and Sunflower Stormwater Project.

   MOTION: Move to approve Resolution No.R-02-04 for adoption.

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

5. Resolution No. R-02-05: To authorize the execution of the FY 2002 Membership and Economic Development Service Agreement between the City of Coffeyville and Montgomery County Action Council (MCAC).

   NO ACTION TAKEN

I. EXECUTIVE SESSION(s).

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.

2. Personnel matters of non-elected personnel.

   MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 9:30 p.m.

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

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Finance Department- "Sales and Comp Use" Tax Report and "Property Tax" Receipts Report.
2. Fire Department- Before & After Pictures of three clean-up activities.
3. Senior Citizens Activity Center- Minutes of October 11, 2001 and November 8, 2001 Board Meetings.
4. Public Library- Minutes of December 5, 2001 Board Meeting.
5. Coffeyville Area Community Foundation- December 28, 2001 Thank you letter.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

- Charles Gann, 803 West Sixth Street, asked about progress being made on the Midland Theater.

- City Manager Leroy D. Alsup replied that both the Midland and the Alamo building have been secured from further deterioration; a new roof has been installed; and tuck pointing completed on the exterior. The Midland is currently being used by the Coffeyville Community Theater. There has been an architect's schematic design completed for the building, however, the bulk of the money for renovation will need to come from the private sector such as foundations.

- Paul Tongier, 506 Roosevelt, thanked Jeff Passantino for getting the automatic doors installed at the Senior Citizens Activity Center.

L. ADJOURNMENT.

TIME THAT MEETING WAS RECONVENED 9:30 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 9:30 P.M.

The next regular commission meeting is scheduled for January 22, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 01/22/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, JANUARY 22, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
CITY INSPECTOR JIM HAYES

A. INVOCATION.

1. Father Jerry D. Adinolfi, St. Paul's Episcopal Church.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular Commission Meeting Minutes- Tuesday, January 8, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

2001 Appropriation Ordinances

1. Appropriation Ordinance No. AO-01-71 - $ 132,837.00

MOTION: Move to approve Appropriation Ordinance No. AO-01-71 in the total amount of $132,837.00 for adoption.

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

2. Appropriation Ordinance No. AO-01-72 (Baldwin) - $994.50

MOTION: Move to approve Appropriation Ordinance No. AO-01-72 in the total amount of $994.50 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO ABSTAINED.

3. Appropriation Ordinance No. AO-01-73 (Strimple) - $33.84

MOTION: Move to approve Appropriation Ordinance No. AO-01-73 in the total amount of $33.84 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY COMMISSIONER TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO ABSTAINED.

4. Appropriation Ordinance No. AO-01-74 (Trotter) - $ 11.10

MOTION: Move to approve Appropriation Ordinance No. AO-01-74 in the total amount of $11.10 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO ABSTAINED.

2002 Appropriation Ordinances

1. Appropriation Ordinance No. AO-02-01 - $2,136,071.15

MOTION: Move to approve Appropriation Ordinance No. AO-02-01 in the total amount of $2,136,071.15 for adoption.

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

2. Appropriation Ordinance No. AO-02-02 (Baldwin) - $512.61

MOTION: Move to approve Appropriation Ordinance No. AO-02-02 in the total amount of $512.61 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO ABSTAINED.

3. Appropriation Ordinance No. AO-02-03 (Strimple) - $383.02

MOTION: Move to approve Appropriation Ordinance No. AO-02-03 in the total amount of $383.02 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO ABSTAINED.

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

1. Public Hearing: A public hearing before the Governing Body of the City of Coffeyville, Kansas where the owner, the owner's agent, any lienholders of record and any occupant of said structures identified by lot and block number and street address in the body of Resolution No. R-01-141 may appear and show cause why such structures should not be condemned and ordered repaired or demolished as dangerous or unsafe structures.

- City Inspector Jim Hayes addressed the Commission stating that the list is unchanged from the one previously submitted to Commission. The dwelling at 715 East Tenth has been taken off the list as the owner removed the porch roof and secured the structure.

- Mayor Baldwin opened the Public Hearing to allow an opportunity for the owner, the owner's agent, any lienholders of record or any occupant of said structures to appear and show cause why such structures should not be condemned and ordered repaired or demolished as dangerous or unsafe structures.

- Sam Shaw, Tulsa, addressed the Commission stating that he beginning to work on the structure at 411 East Seventh. There was a fire in the house; he plans to replace the windows and will use the house for storage. Shaw asked exactly what he needed to do to bring the house up to standard and how long he would have to get the work completed.

- Commissioner Edwards stated that absentee landlords are a big problem in Coffeyville. Edwards questioned Shaw as to why the structure had to be condemned in order to get his attention on it stating it was an eyesore in the neighborhood and the community.

- City Manager Alsup stated that Shaw has 30 days to initiate removing the structure or bringing it into standards. He would then need to make continual progress or the City could take down the structure. He also stated that Fire Chief Greg Allen, City Attorney Paul Kritz and Inspector Hayes are currently looking at establishing a minimum housing code standard. This standard would address those houses that might appear safe, but warrant attention in appearance.

- John Neal, Colorado, property owner at 605 East Sixth, addressed the Commission requesting the City remove the structure at that location.

- Mayor Baldwin closed the Public Hearing.

2. Resolution No. R-02-06: Finding certain structures unsafe, dilapidated, and dangerous and directing such structures to be repaired or removed and the premises made safe and secure as set out in the body of the Resolution.

   MOTION: Move to approve Resolution No.R-02-06 for adoption.

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

3. Chamber Quarterly Report.

   - Coffeyville Area Chamber of Commerce Executive Director Karen Strimple and Community Development and Tourism Director Lance Allred presented their Quarterly Report to the Commission. Both Strimple and Allred went through the various projects they are currently working on, gave updates on the Chamber Committees and talked about ongoing activities the Chamber is involved with. They expressed appreciation for the financial support received from the City.

G. OLD BUSINESS.

   1. NONE.

H. NEW BUSINESS.

   1. First Reading of Ordinance No. S-02-02: An ordinance authorizing execution and delivery of Waiver And Consent of Head Lessor and Issuer; execution and delivery of Amended and Restated Head Lease; execution and delivery of Amended and Restated Trust Indenture; execution and delivery of Amended and Restated Easement Agreement; execution and delivery of Consent of City of Coffeyville to Security Agreement; and execution and delivery of Joinder of City of Coffeyville to Mortgage, Security Agreement, Assignment of Rents and Leases and Fixture Filing.

      - Bond Counsel Dale Ward, Hinkle Elkouri Law Firm, is representing the City on the Farmland Industrial Revenue bonds. Ward addressed the Commission stating he worked with Farmland on the original financing agreement in 1997. At that time the City issued Industrial Revenue Bonds for Farmland with these bonds being purchased by banks. This was considered an off balance sheet transaction, and the City owns the personal property which is leased to the owner trustee who in turn leased it to Farmland. This refinancing will take out the middle layer with the City leasing directly to Farmland. Farmland will purchase the bonds rather than the banks.

- Neal Barkley, Plant Manager for the Nitrogen Fertilizer Plant, stated this refinancing is part of the restructuring of Farmland's long-term debt.

MOTION: Move that Ordinance No. S-02-02 be approved for First Reading.

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

2. Discussion and action by the Board of Commissioners to issue a permit for the New Beginning Festival scheduled in downtown Coffeyville on April 26-27, 2002.

- City Clerk Cindy Price addressed the Commission stating that an ordinance was passed by the City in 1990, which permits special events in the downtown area. This ordinance provides a vehicle of communication between City departments and the Festival and requires the Festival Board to secure insurance.

MOTION: Move that subject to the receipt of a Certificate of Insurance documenting that the required insurance coverage has been secured and subject to the submission of pertinent data as spelled out by City Ordinance has been submitted to the City manager, to issue a Permit to New Beginning Festival, Inc., to hold a New Beginning Festival on April 26 and 27, 2002, in downtown Coffeyville.

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

3. Charter Ordinance No. 24: A Charter Ordinance of the City of Coffeyville, Kansas exempting such city from the provisions of K.S.A. 12-1758 and K.S.A. 12-1767 relating to public building commissions and the issuance of revenue bonds thereby and providing substitute and additional provisions relating thereto.

- City Manager Leroy D. Alsup addressed the Commission stating that passage of this Charter Ordinance will utilize the power of Home Rule to charter out of state statutes to create a Public Building Commission. The Ordinance will do four things: 1) Create a Public Building Commission; 2) Charter out of state statutes to tailor the Public Building Commission Authority to fit the future needs of our community; 3) Provide authority to Public Building Commission to issue up to $16 million in revenue bonds for healthcare improvements; 4) Provide authority to issue $14.5 million in bonds for new elementary school with these bonds being used in the event the school bond issue does not pass in the March 12, 2002, election.

- Commissioner Trotter asked if the school bond does not pass, would the cost of the school fall back on the City.

- City Manager Alsup stated that technically it would, but that reflects the majority of voters who approved the issuance of sales tax for the school project. He also stated that the biggest advantage to passing the school bond would be the $5 million the state would pay toward the new building project.

MOTION: Move that Charter Ordinance No. 24 be approved for First Reading.

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

I. EXECUTIVE SESSION(s).

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.

2. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 9:30 p.m.

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

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Police Department- Monthly Statistics Report and 2001 Junk Vehicle Summary.
2. Fire Department-
   - December Fire Report
   - Monthly Building Permit Report
   - Before & After on 2 Cleanups
   - Court Finding- Taylor Property on S Walnut
3. Senior Citizens Activity Center- Minutes of December 13, 2001 Meeting.
4. Coffeyville Regional Medical Center- Notice of Board Meeting.
5. Downtown Revitalization Task Force- Notice of Tuesday, January 29, 2002 Kick-off Meeting at 6:00 P.M.
6. Montgomery County Action Council- Meeting Notice, Minutes, Financial Report, and Director's report.
7. Article on Field Turf.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

■ Paul Tongier, 506 Roosevelt, addressed the Commission stating that the Senior Citizens Center recently received a donation of furniture from Bank of America and a piano from a South Coffeyville resident.

L. ADJOURNMENT.

TIME THAT MEETING WAS RECONVENED 9:30 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 9:30 P.M.

The next regular commission meeting is scheduled for February 12, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 02/12/02

SPECIAL COMMISSION MEETING MINUTES
THURSDAY, JANUARY 24, 2002
7:15 P.M.

The Board of Commissioners met in Special Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
SPECIAL PROJECTS OFFICER JIM BARNETT
POLICE CHIEF JOE HUMBLE
POLICE COMMANDER MIKE ADCOCK
POLICE COMMANDER MIKE BROWN

A. Second Reading of Ordinance No. S-02-02: An ordinance authorizing execution and delivery of Waiver And Consent of Head Lessor and Issuer; execution and delivery of Amended and Restated Head Lease; execution and delivery of Amended and Restated Trust Indenture; execution and delivery of Amended and Restated Easement Agreement; execution and delivery of Consent of City of Coffeyville to Security Agreement; and execution and delivery of Joinder of City of Coffeyville to Mortgage, Security Agreement, Assignment of Rents and Leases and Fixture Filing.

- City Attorney Paul Kritz addressed the Commission stating there were no changes from the first reading of the ordinance.

MOTION: Move that Ordinance No. S-02-02 be passed to Second Reading and approved for adoption.

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

B. Resolution No. R-02-07: To authorize the issuance of a purchase order to Quality Motors, Inc. in the sum of up to $167,192.80 for (8) eight 2003 Police Interceptor Ford Crown Victoria Vehicles for the Coffeyville Police Department and to authorize the execution of a four-year lease purchase agreement for said vehicles.

- Police Chief Joe Humble, Commander Mike Adcock and Commander Mike Brown presented to the Commission a current vehicle summary for the Police Department. There are currently 15 vehicles in the fleet with eight of these vehicles having over 100,000 miles. In the past they have purchased two vehicles per year. This year they are proposing the purchase of eight vehicles. Eight vehicles currently in the fleet will be taken out of service and sold at auction. Two of the new vehicles will be assigned to Administration and six new vehicles will be assigned to Patrol to replace the units taken out of service. The recommendation by the Police Department was to purchase eight vehicles from Quality Motors in Independence.

MOTION: Move that Resolution No. R-02-07 be approved for adoption.

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

C. Discussion and action by the Board of Commissioners to approve a 2002 cereal malt beverage license for Circle P Enterprises, Inc. at 1008 Siggins Avenue, Coffeyville, KS.

- City Clerk Cindy Price addressed the Commission stating that all criteria has been met for this application and recommended it be approved.

MOTION: Move to approve a 2002 cereal malt beverage license for Circle P Enterprises, Inc.

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

D. Second Reading of Charter Ordinance No. 24: A Charter Ordinance of the City of Coffeyville, Kansas exempting such city from the provisions of K.S.A. 12-1758 and K.S.A. 12-1767 relating to public building commissions and the issuance of revenue bonds thereby and providing substitute and additional provisions relating thereto.

- City Manager Leroy D. Alsup addressed the Commission stating the newspaper coverage of the discussion on this ordinance at the previous meeting was unclear. He wanted to spend some time going over it in greater detail to clarify some issues. The passage of this ordinance would provide the authority to establish a Building Commission. The City Commission has given the City a signal to work with the school in efforts to inform the public to understand the issue of the school bond election. The bond issue is the first priority in funding school improvements. A Building Commission is a financing tool not only for healthcare and education projects, but for future projects.

  There are three options for financing the hospital improvements: 1) Hospital revenue bond issue; 2) split between revenue bonds and sales tax and 3) bond issue through the Public Building Commission. The option that provides the lowest interest rate will be used.

- Commissioner Strimple asked what authority does the Building Commission allow?

- City Manager Alsup replied that it is a financing vehicle only. It would require a regular ordinance to actually establish the commission. Initially it would be made up of five members with each Commissioner appointing a person to serve during their tenure.

MOTION: Move that Charter Ordinance 24 be passed to Second Reading and approved for adoption.

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

E. Executive Session:

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.
2. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 7:00 p.m.

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

F. Adjournment.

TIME THAT MEETING WAS RECONVENED 7:00 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 7:00 P.M.

The next regular commission meeting is scheduled for February 12, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 02/12/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, FEBRUARY 12, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Vice Mayor Larry Trotter presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE

Those absent were:
MAYOR DAVID BALDWIN

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS

A. INVOCATION.

1. Jeff Morris, Finance Director.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular Commission Meeting Minutes- Tuesday, January 22, 2002.

ACTION: APPROVED AS PRESENTED

2. Special Commission Meeting Minutes- Thursday, January 24, 2002

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-04 - $1,074,162.85

MOTION: Move to approve Appropriation Ordinance No. AO-02-04 in the total amount of $1,074,162.85 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY VICE MAYOR TROTTER. ROLL CALL

VOTE – ALL AYE EXCEPT FOR MAYOR BALDWIN WHO WAS ABSENT.

2. Appropriation Ordinance No. AO-02-05 (Strimple) - $ 2,136.28

MOTION: Move to approve Appropriation Ordinance No. AO-02-05 in the total amount of $2,136.28 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT FOR COMMISSIONER STRIMPLE WHO ABSTAINED AND MAYOR BALDWIN WHO WAS ABSENT.

3. Appropriation Ordinance No. AO-02-06 (Edwards) - $4,247.19

MOTION: Move to approve Appropriation Ordinance No. AO-02-06 in the total amount of $4,247.19 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY VICE MAYOR TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT FOR COMMISSIONER EDWARDS WHO ABSTAINED AND MAYOR BALDWIN WHO WAS ABSENT.

4. Appropriation Ordinance No. AO-02-07 (Trotter) - $299.89

MOTION: Move to approve Appropriation Ordinance No. AO-02-07 in the total amount of $299.89 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT FOR VICE MAYOR TROTTER WHO ABSTAINED AND MAYOR BALDWIN WHO WAS ABSENT.

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

1. NONE.

G. OLD BUSINESS.

1. NONE.

H. NEW BUSINESS.

1. Resolution No. R-02-08: To authorize the execution of the FY 2002 Membership and Economic Development Service Agreement between the City of Coffeyville and

Montgomery County Action Council (MCAC).

- Montgomery County Action Council Executive Director Dennis Pruitt gave a PowerPoint presentation outlining the Action Council's Mission, showing the involvement on the Action Council Board from Coffeyville, the 2001 projects and those planned for 2002.

- Commissioner Don Edwards asked Pruitt about their operating funds and also questioned the use of alcohol at meetings and the perception that the Action Council is more focused on Independence.

- Pruitt stated they are looking at a $16,000 to $18,000 deficit for this year and are looking at outside services for funding. He also stated that individual members may purchase alcohol at meetings but that MCAC does not. As far as spending more time working on Independence projects, he stated that MCAC goes where they are asked for assistance.

- City Manager Leroy D. Alsup stated that the City of Coffeyville is in a unique situation by having several staff members with expertise in economic development. He stated that Mr. Pruitt is relatively new in this field and MCAC has been here longer than Pruitt has been employed. He sees the main advantages of being involved with the Action Council as the county wide activities or multi-city projects that the City can be involved with.

MOTION: Move that Resolution No. R-02-08 be approved for adoption.

ACTION: THE MOTION WAS MADE BY VICE MAYOR TROTTER AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – TROTTER, MILLER AND STRIMPLE – AYE; EDWARDS – NO; MAYOR BALDWIN ABSENT.

2. Discussion and action by the Board of Commissioners to approve a 2002 cereal malt beverage license for OPCO LLC. d/b/a Phillips 66 of Coffeyville at 1308 West Eighth Street, Coffeyville, KS.

- City Clerk Cindy Price addressed the Commission stating that all criteria has been met for this application and recommended it be approved.

MOTION: Move to approve a 2002 cereal malt beverage license for OPCO LLC d/b/a/ Phillips 66 of Coffeyville at 1308 West Eighth Street.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO WAS ABSENT.

3. Discussion and action by the Board of Commissioners to approve a 2002 cereal malt beverage license for Betty R. Andrus and Diana S. Hills d/b/a The People's Bar at 821 West Fourteenth Street, Coffeyville, KS.

- City Clerk Cindy Price addressed the Commission stating that all criteria has been met for this application and recommended it be approved.

MOTION: Move to approve a 2002 cereal malt beverage license for Betty R. Andrus and Diana S. Hills d/b/a The People's Bar at 821 West Fourteenth Street.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT FOR MAYOR BALDWIN WHO WAS ABSENT.

4. First Reading of Ordinance No. S-02-03: An ordinance annexing land into the City of Coffeyville, Kansas pursuant to K.S.A. 12-519 *et seq.*

- City Attorney Paul Kritz addressed the Commission stating this is the final chapter in a process to annex the Royal Pontiac land into the City. This will become effective July 1 pursuant to terms of agreement with property owner.

MOTION: Move that Ordinance No. S-02-03 be approved for First Reading.

ACTION: THE MOTION WAS MADE BY COMMISSIONR STRIMPLE AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO WAS ABSENT.

5. Resolution No. R-02-09: To authorize the execution of a "Real Estate Sales Agreement" with Farmland Industries, Inc., for the sale of certain real estate in the City of Coffeyville, Montgomery County, Kansas.

- City Attorney Paul Kritz addressed the Commission stating this property was acquired by the City in 1996 at a foreclosure sale. At the time the property was purchased, there was a house on the lot, which was later demolished. The lot is now vacant. The City filed an application to exempt the property from ad valorem property taxes; however, the Board of Tax Appeals denied the application in a decision received last month. Due to its proximity to Farmland, this property was intended to be included in a property exchange with Farmland. Farmland has already donated several Harmon Park lots to the City and will be conveying additional lots and easements for electric transmission facilities in the future. Rather than wait to finish the exchange, staff recommends we proceed with the conveyance of this property to 'Farmland. Farmland has agreed to assume all outstanding taxes (approximately $400) levied against the property. The property has no practical use to the City.

MOTION: Move to approve Resolution No. R-02-09 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONR EDWARDS AND SECONDED BY VICE MAYOR TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO WAS ABSENT.

I. EXECUTIVE SESSION(s).

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.
2. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 9:30 p.m.

ACTION: THE MOTION WAS MADE BY VICE MAYOR TROTTER AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE - ALL AYE EXCEPT MAYOR BALDWIN WHO WAS ABSENT.

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Finance Department-2002 Local Sales & Comp Use Tax Report.
2. Police Department- Inoperable Vehicle Enforcement Report.
3. Public Service Department- Unsafe and Dilapidated Structure Removal Report with sample pictures of some properties.
4. Fire Department- January Fire Report and pictures of various clean-up activities.
5. Amazon.com- Congratulatory "USA Today" add on Amazon.com achieving profitability in the 4th Quarter..
6. Cedar Bluff Camp- January 29, 2002 correspondence expressing thanks for City assistance on a water line project.
7. Public Library- Minutes of January 2, 2002 Library Board of Trustees meeting.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

L. ADJOURNMENT.

TIME THAT MEETING WAS RECONVENED 9:30 P.M. VICE MAYOR TROTTER STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

ACTION: THE MOTION WAS MADE BY VICE MAYOR TROTTER AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL

VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO WAS ABSENT.

TIME OF ADJOURNMENT: 9:30 P.M.

The next regular commission meeting is scheduled for February 26, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 02/26/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, FEBRUARY 26, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
WATER/WASTEWATER DIRECTOR CHUCK SHIVELY
CITY INSPECTOR JIM HAYES
ELECTRIC UTILITY DEPUTY DIRECTOR REX JERRIM
WATER/WASTEWATER SUPERINTENDENT JIM BRADSHAW
WATER TREATMENT PLANT ASST SUPERINTENDENT EARL MENEFEE
WASTEWATER TREATMENT PLANT ASST. SUPERINTENDENT ALAN BILBY

A. INVOCATION.

1. Reverend Mark Wilson, First Church of God.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular Commission Meeting Minutes- Tuesday, February 12, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-08 - $2,377,323.13

MOTION: Move to approve Appropriation Ordinance No. AO-02-08 in the total amount of $2,377,323.13 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER TROTTER. ROLL

CALL VOTE – ALL AYE.

2. Appropriation Ordinance No. AO-02-09 (Baldwin) - $5,114.48

MOTION: Move to approve Appropriation Ordinance No. AO-02-09 in the total amount of $5,114.48 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO ABSTAINED.

3. Appropriation Ordinance No. AO-02-10 (Strimple) - $25.98

MOTION: Move to approve Appropriation Ordinance No. AO-02-10 in the total amount of $25.98 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO ABSTAINED.

4. Appropriation Ordinance No. AO-02-11 (Edwards) - $2,573.27

MOTION: Move to approve Appropriation Ordinance No. AO-02-11 in the total amount of $2,573.27 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER EDWARDS WHO ABSTAINED.

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

1. Employee Recognition and Appreciation: Acknowledgement and expression of appreciation to Kenneth D. (Kenny) York for his 32 years of dedicated and loyal service to the City of Coffeyville from March 23, 1970 to January 31, 2002.

- Mayor David Baldwin and Water/Wastewater Director Chuck Shively presented Kenneth York a plaque for his 32 years of service to the City of Coffeyville.

G. OLD BUSINESS.

1. Second Reading of Ordinance No. S-02-03: An ordinance annexing land into the City of Coffeyville, Kansas pursuant to K.S.A. 12-519 et seq.

- City Attorney Paul Kritz addressed the Commission stating there are no changes from the February 12 presentation on this ordinance.

MOTION: Move that Ordinance No. S-02-03 be passed to Second Reading and approved for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE ANDSECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE.

H. NEW BUSINESS.

1. Resolution No. R-02-10: A resolution fixing the time and place for a hearing before the governing body of the City of Coffeyville, Kansas, at which time the owner, the owner's agent, any lienholders of record and any occupant of structures identified by lot and block number and street address in the body of this resolution, may appear and show cause why such structures should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, and providing for notice of the hearing in a manner provided by K.S.A. 12-1752.

   - City Inspector Jim Hayes addressed the Commission requesting that the Commission set a time for a hearing on the 25 properties he has presented for condemnation.

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

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

2. First Reading Ordinance No. S-02-04: To approve an annual renewal of the ten-year property tax exemption-incentive (January 1, 1996 through December 31, 2005) granted by Ordinance No. S-97-05 and an annual renewal of the ten-year property tax exemption-incentive (January 1, 1997 through December 31, 2006) granted by Ordinance No. S-97-08 on certain identified personal property of Acme Foundry, Inc. (Magic Circle Manufacturing) for the one-year period beginning January 1, 2002 through December 31, 2002.

   - City Manager Leroy D. Alsup addressed the Commission stating that this is an annual renewal of Acme Foundry's ad valorem property tax exemption for phase I and phase II expansions. Alsup stated that Acme had forecasted the creation of 236 jobs; the actual number to date is 138 due in part to the general slow down of the economy. Alsup stated that this renewal as well as the others that will be presented to the Commission are on expansions only – not on existing portions of the business. This tax abatement/incentive plan allows industries to have more money for working capital and for putting people to work. The annual tax savings to Acme per job created is well below staff's recommendation of $1,000 per annum; therefore staff recommended that based on criteria established, the tax exemption benefit for the 2002 calendar year be approved.

MOTION: Move that Ordinance No- S-02-04 be approved for First Reading.

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

3. First Reading Ordinance No. S-02-05: To approve an annual renewal of the ten-year property tax exemption-incentive (January 1, 1998 through December 31, 2007) granted by Ordinance No. S-98-04 and an annual renewal of the ten-year property tax exemption-incentive (January 1, 1996 through December 31, 2005) granted by Ordinance No. S-96-04 on certain identified real and personal property of Coffeyville SEKTAM, Inc. for the one-year period beginning January 1, 2002 through December 31, 2002.

- City Manager Leroy D. Alsup addressed the Commission stating that this is a renewal of Coffeyville SEKTAM's ad valorem property tax exemption/incentive for phase I and phase II expansions. SEKTAM had a goal of 56 new jobs, to date they have exceeded that with 59 new jobs created. The annual savings per job created hovers near staff's recommendation of $1,000 per annum; and staff recommended renewal of the tax exemption for calendar year 2002.

MOTION: Move that Ordinance No- S-02-05 be approved for First Reading.

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

4. First Reading Ordinance No. S-02-06: To approve an annual renewal of the ten-year property tax exemption-incentive (January 1, 2001 through December 31, 2010) granted by Ordinance No. S-01-04 on certain identified real and personal property of Four State Maintenance Supply, Inc. for the one-year period beginning January 1, 2002 through December 31, 2002.

- City Manager Leroy D. Alsup addressed the Commission stating that this is an ad valorem property tax exemption for Four State Maintenance. This is a small expansion in relation to jobs created; their goal was one job and they have created one job. The annual savings per job created exceeds staff's recommendation $1,000 per annum, however, it is consistent with the approved application. Staff recommends that Four State Maintenance Supply tax exemption be renewed. At the end of three years, if the annual savings per job created does not meet $1,000, they will be required to make a payment in lieu of taxes.

MOTION: Move that Ordinance No- S-02-06 be approved for First Reading.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE

– ALL AYE.

5. First Reading Ordinance No. S-02-07: To approve an annual renewal of the ten-year property tax exemption-incentive (January 1, 1997 through December 31, 2006) granted by Ordinance No. S-97-01 on certain identified real and personal property of Darwin Industries, Inc. for the one-year period beginning January 1, 2002 through December 31, 2002.

 ■ City Manager Leroy D. Alsup addressed the Commission stating that this is an ad valorem property tax exemption for Darwin Industries. Their goal was to create 28 new jobs; at present they have created six. Many of the changes to the industry is beyond the control of the owner/operator. The annual tax savings to the company per job created is well above the $1,000 per annum level. Staff recommends that Darwin be granted a one-year renewal for calendar year 2002 subject to a payment in lieu of taxes of $20,000.

 MOTION: Move that Ordinance No- S-02-07 be approved for First Reading.

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

6. Resolution No. R-02-11: To authorize the issuance of a purchase order to Sauber Mfg. Co. in the sum of $32,775.00 for a Sauber Model 1530 three reel stringing trailer for the Electric Department.

 ■ Deputy Superintendent Rex Jerrim addressed the Commission stating that as part of the electric utility department's equipment enhancement/replacement program, a total of $115,000 was budgeted for capital improvements purchased in the 2002 budget for the addition of 2 pieces of equipment, a cable trailer and a pressure digger. This list has been revised and prioritized. The first priority is the purchase of a three-reel cable trailer. At the present time the Electric Department has one trailer and it can only carry one reel of conductor at a time. Two bids were received with a recommendation to accept the bid from Sauber Manufacturing for $32,775.

 MOTION: Move that Resolution R-02-11 be approved for adoption.

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

7. Resolution No. R-02-12: To authorize the issuance of a purchase order to Ditch Witch of Kansas in the sum of $47,125.50 for a Ditch Witch Model 3700 trencher and trailer for the Electric Department.

 ■ Deputy Superintendent Rex Jerrim addressed the Commission stating the Electric Department wishes to replace a trencher that is having considerable maintenance problems. They are planning to trade in the current trencher and recommend accepting a bid from Ditch Witch of Kansas for a Ditch Witch Model 3700.

MOTION: Move that Resolution R-02-12 be approved for adoption.

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

8. Resolution No. R-02-13: To authorize the execution of Change Order No. 1 to the construction contract dated June 12, 2000 with Muller Construction, Inc. for the Wastewater Treatment Plant Access Road Project, increasing the contract price by the sum of $98,250.00, contingent upon approval by the Kansas Department of Health & Environment (KDHE). (*KWPCRLF Project No. C-20-1252-01; Resolution No. R-00-53 – Original Contract*).

- Water/Wastewater Director Chuck Shively addressed the Commission stating that as construction nears completion on the new Wastewater Treatment Plant, City wastewater utility staff members have been considering options relative to the old plant which will be abandoned. There are actually two plants, the one being abandoned now and the plant that was used prior to it. KDHE would allow abandonment of the plant in place, but adequate fencing would be required around the site to prevent entry by the public. KDHE has approved use of any remaining KWPCRLF loan funds for demolition of the old plants. This can be handled as a change order and staff recommends that if the Commission determines to demolish the sites, that a change order be executed with Muller Construction.

MOTION: Move that Resolution R-02-13 be approved for adoption.

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

9. Coffeyville Public Library Board-**One Position**: Review resumes; allow applicants in attendance to present themselves, if they so desire; and action by the Board of Commissioners to appoint one individual to fill an unexpired term through April 30, 2002 and a new Four-Year term through April 30, 2006.

Reference Note: *All Board Members must be Coffeyville residents.*
Applicants: *Charles Burris and Jay Shearhart.*

- City Clerk Cindy Price addressed the Commission stating that due to one of the current Library Board members moving outside the City limits, there is an opening for the unexpired term through April 30, 2002. Since that would be such a short time, the position was advertised as both filling the unexpired term and a new four-year term. Two applications were received. One applicant, Charles Burris, was only interested in the unexpired term and withdrew his application.

MOTION: Move that Jay Shearhart be appointed to fill the unexpired term on the Coffeyville Public Library Board through April 30, 2002, and a new four-year term serving through April 30, 2006.

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

10. Resolution No. R-02-14: To approve an economic assistance package to Morrow Foundry, Inc.

- City Manager Leroy D. Alsup addressed the Commission stating that due to the economic conditions and slowing of the economy, Morrow Foundry is in need of some form of economic relief in order to maintain their operation in Coffeyville. When the PCA was placed on the books last summer, the industries were told that if this created an economic hardship for the company, the City would work with them if they would open their books for review. This is similar to the assistance provided to Bartlett Mills.

MOTION: Move that Resolution R-02-14 be approved for adoption.

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

11. Resolution No. R-02-15: To approve a financial assistance grant to Coffeyville Historical Society.

No Action Taken

12. Resolution No. R-02-16: To commit Surplus Electric Revenue from the Farmland Nitrogen Fertilizer Facility to assist USD 445 with payment of the Bond and Interest of a General Obligation Bond Issue not exceed $19,975,000 for facility improvements.

- City Manager Leroy D. Alsup presented a Powerpoint presentation on the proposed school bond election scheduled for March 12. He reviewed the funding format which would include using the surplus electric revenue funds from the Farmland Nitrogen Fertilizer Facility, thus not requiring an increase in the mill levy for property taxes to fund the school building and improvements.

- Commissioner Trotter stated that while he was in favor of education and children, he could not support a proposal that would use funds from the City of Coffeyville for school improvements.

MOTION: Move that Resolution R-02-16 be approved for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO ABSTAINED.

I. EXECUTIVE SESSION(s).

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.
2. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 9:30 p.m.

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

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Fire Department- Before and after pictures of various clean-up activities.
2. Planning Commission- Minutes of January 15, 2002 Planning Commission Meeting.
3. Coffeyville recreation Commission- Minutes of January 9, 2002 Commission Meeting and January 31, 2002 Commission Work Session.
4. Montgomery County Action Council- Information for the MCAC's Thursday, February 28, 2002 Board of director's Meeting.

K. ADDITIONAL BUSINESS.
1. Comments by the Public.

L. ADJOURNMENT.

TIME THAT MEETING WAS RECONVENED 9:30 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 9:30 P.M.

The next regular commission meeting is scheduled for March 12, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 03/12/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, MARCH 12, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
WATER/WASTEWATER DIRECTOR CHUCK SHIVELY
WATER/WASTEWATER SUPERINTENDENT JIM BRADSHAW
ELECTRIC UTILITY DIRECTOR JEFF TULLIS
SPECIAL PROJECTS OFFICER JIM BARNETT

A. INVOCATION.

1. Dr. Wayne Norton, First Baptist Church.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular Commission Meeting Minutes- Tuesday, February 26, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-12 - $1,635,430.15

MOTION: Move to approve Appropriation Ordinance No. AO-02-12 in the total amount of $1,635,430.15 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS

AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE.

2. Appropriation Ordinance No. AO-02-13 (Trotter) - $151.74

MOTION: Move to approve Appropriation Ordinance No. AO-02-13 in the total amount of $151.74 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO ABSTAINED.

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

1. Fair Housing Month Proclamation: To proclaim the month of April, 2002 as "Fair Housing Month" in the City of Coffeyville.

- Commissioner Don Edwards read the proclamation declaring April as Fair Housing Month in Coffeyville.

2. Girl Scout Week Proclamation: To proclaim the week of March 10 through 16, 2002 as "Girl Scout Week" in the City of Coffeyville.

- Commissioner Jim Miller read the proclamation declaring March 10-16 as Girl Scout Week in Coffeyville.

G. OLD BUSINESS.

1. Second Reading of Ordinance No. S-02-04: To approve an annual renewal of the ten-year property tax exemption-incentive (January 1, 1996 through December 31, 2005) granted by Ordinance No. S-97-05 and an annual renewal of the ten-year property tax exemption-incentive (January 1, 1997 through December 31, 2006) granted by Ordinance No. S-97-08 on certain identified personal property of Acme Foundry, Inc. (Magic Circle Manufacturing) for the one-year period beginning January 1, 2002 through December 31, 2002.

- Special Projects Officer Jim Barnett addressed the Commission stating there have been no changes in this ordinance or in the S-02-05 and S-02-06 ordinances.

MOTION: Move that Ordinance No. S-02-04 be passed to Second Reading and approved for adoption.

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

2. Second Reading of Ordinance No. S-02-05: To approve an annual renewal of the ten-year property tax exemption-incentive (January 1, 1998 through December 31, 2007) granted by Ordinance No. S-98-04 and an annual renewal of the ten-year property tax exemption-incentive (January 1, 1996 through December 31, 2005) granted by Ordinance No. S-96-04 on certain identified real and personal property of Coffeyville SEKTAM, Inc. for the one-year period beginning January 1, 2002 through December 31, 2002.

MOTION: Move that Ordinance No. S-02-05 be passed to Second Reading and approved for adoption.

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

3. Second Reading of Ordinance No. S-02-06: To approve an annual renewal of the ten-year property tax exemption-incentive (January 1, 2001 through December 31, 2010) granted by Ordinance No. S-01-04 on certain identified real and personal property of Four State Maintenance Supply, Inc. for the one-year period beginning January 1, 2002 through December 31, 2002.

MOTION: Move that Ordinance No. S-02-06 be passed to Second Reading and approved for adoption.

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

4. Second Reading of Ordinance No. S-02-07: To approve an annual renewal of the ten-year property tax exemption-incentive (January 1, 1997 through December 31, 2006) granted by Ordinance No. S-97-01 on certain identified real and personal property of Darwin Industries, Inc. for the one-year period beginning January 1, 2002 through December 31, 2002 .

- Special Projects Officer Jim Barnett addressed the Commission stating there have been minor changes in this ordinance addressing the payment in lieu of taxes to be made by Darwin Industries.

MOTION: Move that Ordinance No. S-02-07 be passed to Second Reading and approved for adoption.

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

H. NEW BUSINESS.

1. Resolution No. R-02-15: To authorize the execution of a construction phase engineering services agreement with Allgeier, Martin & Associates, Inc. in an amount not to exceed $264,500.00 for the Water Treatment Plant Upgrade Project, subject to concurrence from the Kansas Department of Health & Environment (KDHE).

 ■ Water/Wastewater Director Chuck Shively addressed the Commission stating that design of the Water Treatment Plant Upgrade project is near completion. The plans and specifications have been submitted to KDHE for their review, comments and approval to advertise for bids. The proposed construction phase engineering services contract with Allgeier, Martin & Associates includes all necessary bidding services, construction services and post construction services with a maximum fee of $264,500 based on hourly rates and reimbursable expenses.

 MOTION: Move that Resolution R-02-15 be approved for adoption.

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

2. Resolution No. R-02-17: To authorize issuance of a purchase order to Royal Pontiac-Oldsmobile-Cadillac-GMC, Inc. in the sum of $15,302.20 for a new 2002 GMC 1500 pickup for the Water/Wastewater Distribution/Collection Department.

 ■ Water/Wastewater Director Chuck Shively addressed the Commission stating that on February 12, 2002, a truck used by a crew foreman was struck in the rear while legally parked. The truck was determined to be totaled and a settlement check for $6,360 has been received. It generally takes four to six months to go through the bidding process and receive a vehicle through a fleet order. The water/wastewater department is requesting authorization to purchase a truck from a local dealer. This truck will be used to replace the meter serviceman's truck and the meter service man's truck will replace the wrecked crew foreman's vehicle.

 MOTION: Move that Resolution R-02-17 be approved for adoption.

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

3. Resolution No. R-02-18: To authorize the execution of an agreement for Specific Stop-Loss Insurance, Aggregate Stop-Loss Insurance, Basic Life and Accidental Death & Dismemberment (AD&D) Insurance and Third Party Administrative Services for the City's FY 2003 (4-1-2002 to 3-31-2003) partially self-funded health insurance coverage.

■ Finance Director Jeff Morris addressed the Commission stating that 11 proposals have been received for specific stop-loss insurance, aggregate stop-loss insurance and third party administrative services for the City's FY 2003 (4-1-2002 to 3-31-2003) partially self-funded health insurance coverage. Jeff presented information comparing the City's insurance for the current year with the proposal. There will be a 14.2% increase in cost. The City is proposing to pick up 67% of this increase with the employee picking up 33%.

MOTION: Move that Resolution R-02-18 be approved for adoption.

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

4. Resolution No. R-02-19: To approve a financial assistance grant to Coffeyville Historical Society.

■ City Manager Leroy D. Alsup addressed the Commission stating the Coffeyville Historical Society, which owns and operates the Dalton Defenders Museum and Brown Mansion, is currently experiencing a financial deficit. In order to assist the Historical Society preserve the artifacts that are reflective of our unique history and provide the community an opportunity to benefit from tourism and special event activities that attract revenue into our local economy, the City, with approval from the Commission, will pledge up to $24,000 in a general operation grant and up to $5,000 in a matching challenge grant to the Historical Society.

■ Historical Society President Lue Barndollar thanked the Commission and City Staff for their support of the Brown Mansion and Dalton Defenders Museum.

MOTION: Move that Resolution R-02-19 be approved for adoption.

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

I. EXECUTIVE SESSION(s).

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.
2. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 9:00 p.m.

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

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Finance Department- City Sales and Comp Use Tax Revenue Report.
2. Fire Department- February Monthly Building Report and Before and After pictures of three Housing demolitions and two clean-up efforts.
3. Coffeyville Senior Citizens Activity Center- Minutes of January 10, 2002 Board Meeting.
4. Coffeyville Regional Medical Center- February 27, 2002 Board of Directors Meeting Agenda, Minutes of January 30, 2002 Board of Directors Meeting, and Financial Statements for the period ending January 31, 2002.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

L. ADJOURNMENT.

TIME THAT MEETING WAS RECONVENED 9:00 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 9:00 P.M.

The next regular commission meeting is scheduled for March 26, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 03/26/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, APRIL 9, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
SPECIAL PROJECTS OFFICER JIM BARNETT
CITY INSPECTOR JIM HAYES
ELECTRIC UTILITY DIRECTOR JEFF TULLIS

A. INVOCATION.

1. Reverend Gerald Morris, Grace Fellowship Church.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular Commission Meeting Minutes- Tuesday, March 26, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-17 - $ 417,166.43

MOTION: Move to approve Appropriation Ordinance No. AO-02-17 in the total amount of $417,166.43 for adoption.

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

2. Appropriation Ordinance No. AO-02-18 (Trotter) - $394.62

MOTION: Move to approve Appropriation Ordinance No. AO-02-18 in the total amount of $394.62 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO ABSTAINED.

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

1. ANNUAL ORGANIZATION OF THE BOARD OF COMMISSIONERS FOR BUSINESS.

a. Selection of a Chairman by the Board of Commissioners for a one-year term. (The Chairman shall have the title of Mayor during the year of his term of office, to the end that the City shall have an official head on formal occasions.)

MOTION: Move to nominate David Baldwin to serve as the Mayor of the City of Coffeyville through April 8, 2003.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO ABSTAINED.

b. Selection of a Vice-Chairman (Vice-Mayor) by the Board of Commissioners for a one-year term. (Local ordinances and state statutes do not specifically provide for the selection of a Vice-Chairman. This appears to be an internal decision made by prior Boards of Commissioners in organizing themselves for business.)

MOTION: Move to nominate Larry Trotter to serve as the Vice-Mayor of the City of Coffeyville through April 8, 2003.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO ABSTAINED.

2. Presentation of plaque to Jim Barnett upon his completion of the National Development Council Economic Development Finance Training Program and receiving recognition as an Economic Development Finance Professional.

- Mayor David Baldwin presented a plaque to Jim Barnett upon completing the National Development Council Economic Development finance Training Program.

3. Public Hearing: A public hearing before the Governing Body of the City of Coffeyville,

Kansas where the owner, the owner's agent, any lienholders of record and any occupant of said structures identified by lot and block number and street address in the body of Resolution No. R-02-10 may appear and show cause why such structures should not be condemned and ordered repaired or demolished as dangerous or unsafe structures.

- City Inspector Jim Hayes addressed the Commission stating that the property located at 112 John Street had been erroneously included on the condemnation list and requested that it not be included with this group. He also stated that two properties on the current condemnation list had been sold at the recent tax sale. City Attorney Paul Kritz made an announcement at the sale stating these two properties were on the condemnation list.

- Gary Close, 712 West Tenth Street, addressed the Commission stating he is planning to repair the stairway on his structure for safety purposes.

- Mayor Baldwin stated the normal procedure for the structures on the condemnation list is to leave them on the list and requested that the owners stay in contact with Jim Hayes. The owner must work on the structure and continue work in a timely fashion.

- City Manager Leroy D. Alsup stated that work must begin within 30 days and visible progress must be made every month.

- Walt Johnson, 705 Lincoln, addressed the Commission stating that he has leveled the house at 705 Lincoln and it is a good structure. He requested an opportunity to get someone to restore the house rather than tear it down as he would rather give it to someone than to see it town down. He would tear down the garage, back porch and the bad portion of the front porch.

- City Manager Leroy D. Alsup asked Mr. Johnson if after an inspection by the City's Engineering Department, if it was determined the house could be repaired and put back on the market, would he be willing to donate it to the City to which Mr. Johnson agreed.

- Lloyd Kendall, 412 and 416 East Ninth Street, addressed the commission stating that once the add ons are taken off the property at 416 East Ninth, the main structure is good and he would like to rent it. He is working to find someone to take down the structure at 412 East Ninth Street.

- Carl Grigsby, 601-603 East Fourth Street, stated he has personal belongs in these structures and wants to be able to get them out.

- Shirley Isnard, 713 East Seventh Street, requested additional time to get this structure down as her husband just recently passed away.

- Sherman White, 308 Union, stated he uses this structure for storage. He needs to wait until checks begin coming in so he can purchase a storage building. Once he moves the items out of 308 Union, the structure can come down.

- Mayor Baldwin closed the public hearing

4. Resolution No. R-02-24: Finding certain structures unsafe, dilapidated, and dangerous and directing such structures to be repaired or removed and the premises made safe and secure as set out in the body of the Resolution.

MOTION: Move that Resolution No.R-02-24 be approved for adoption.

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

G. OLD BUSINESS.

1. Second Reading Ordinance No. S-02-08: To approve an annual renewal of the ten-year property tax exemption-incentive (January 1, 2000 through December 31, 2009) granted by Ordinance No. S-01-09 on certain identified real and personal property of the BOC Group, Inc. for the one-year period beginning January 1, 2002 through December 31, 2002.

MOTION: Move that Ordinance No. S-02-08 be passed to Second Reading and approved for adoption.

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

2. Second Reading Ordinance No. G-02-01: An ordinance creating the Public Building Commission of the City of Coffeyville, Kansas and establishing the purpose, composition, powers, functions and duties thereof.

- City Attorney Paul Kritz addressed the Commission stating there have been three minor changes made in the ordinance since first presentation to the Commission. The first is renumbering it to a general ordinance rather than a special ordinance to be consistent with the way other boards are setup. The second states that all of the members shall be appointed by the Commission to serve at the pleasure of the Commission. The third is the Public Building Commission may not lease any facility to any entity other than the City without the consent of the City and that the Commission shall have the authority to adopt Bylaws.

- City Manager Leroy D. Alsup addressed the Commission stating that due to the short time period in working with the hospital on this project, we will not go through the advertising process for Public Building Commission members. Those people interested in serving on the Commission should contact the City Clerk's Office. Out of the seven people serving on the Commission, four would be City related people – staff and/or commissioners and the other three would be at-large members not tied to the City.

MOTION: Move that Ordinance No. G-02-01 be passed to Second Reading and approved for adoption.

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

H. NEW BUSINESS.

1. Resolution No. R-02-25: To authorize the execution of an agreement with the Coffeyville Municipal Band in the sum of $4,000.00 for the 2002 Concert Season.

- City Clerk Cindy Price addressed the Commission stating that the City Band has provided concerts for the City for over 100 years. Their letter requests a $1,000 increase in fees this year due to the addition of two concerts to their schedule. Their contract was left the same at $4,000, and this was agreeable with the Band manager.

MOTION: Move that Resolution No. R-02-25 be approved for adoption.

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

2. Resolution No. R-02-26: To authorize the execution of Amendment #1 to the "Contract for Electric Service" by and between the City of Coffeyville and the Grand River Dam Authority (GRDA) for firm partial requirements electric power and energy to extend the term of the contract for an additional five years, through December 31, 2007. (*Electric Power & Energy for Farmland Nitrogen Fertilizer Facility*).

- Electric Utility Director Jeff Tullis addressed the Commission stating that on March 31, 1999, the Commissioners passed Resolution R-99-05 authorizing the execution of a contract for electric service by and between the City of Coffeyville and the GRDA for firm partial requirements electric power and energy to serve the load at Farmland's Petroleum Coke Gasification to Nitrogen Fertilizer Facility. The initial term of the original contract was for 42 months beginning July 1, 1999 and ending December 31, 2002. This amendment proposes to extend this initial 42-month term of the contract an additional five years with no additional changes.

MOTION: Move that Resolution No. R-02-26 be approved for adoption.

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

I. EXECUTIVE SESSION(s).

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.
2. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 9:30 p.m.

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

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Certificate presented to Jim Barnett upon completion of State of Kansas CDBG General Administrator Training and Examination.
2. Letter to Jeff Passantino on passing his CDBG certified housing administrator's training.
3. Certificate presented to Jim Bradshaw upon completion of requirements for a Class II Operator in all Class I and II wastewater treatment facilities.
4. Building permit report for the month of March.
5. Montgomery County Action Council – Information for the MCAC's Thursday, March 28, 2002, Board of Directors Meeting.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

L. ADJOURNMENT.

TIME THAT MEETING WAS RECONVENED 9:30 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 9:30 P.M.

The next regular commission meeting is scheduled for April 23, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 04/23/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, APRIL 23, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
SPECIAL PROJECTS OFFICER JIM BARNETT
DIRECTOR OF PLANNING AND ENGINEERING JEFF PASSANTINO
ELECTRIC UTILITIES DIRECTOR JEFF TULLIS
WATER/WASTEWATER DIRECTOR CHUCK SHIVELY
PLANNER/ARCHITECT DENNIS JACOBS

A. INVOCATION.

1. Reverend Mark Wilson, First Church of God.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular Commission Meeting Minutes- Tuesday, April 9, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-19 - $2,504,756.15

MOTION: Move to approve Appropriation Ordinance No. AO-02-19 in the total amount of $2,504,756.15 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER STRIMPLE. ROLL

CALL VOTE – ALL AYE.

2. Appropriation Ordinance No. AO-02-20 (Baldwin) - $2,474.19

MOTION: Move to approve Appropriation Ordinance No. AO-02-20 in the total amount of $2,474.19 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO ABSTAINED.

3. Appropriation Ordinance No. AO-02-21 (Strimple) - $185.96

MOTION: Move to approve Appropriation Ordinance No. AO-02-21 in the total amount of $2185.96 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO ABSTAINED.

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

1. NONE.

G. OLD BUSINESS.

1. NONE.

H. NEW BUSINESS.

1. Resolution No. R-02-27: To provide for the allocation of FY 2002 Local Alcoholic Liquor Funds to be received pursuant to the provisions of K.S.A. 79-41A04, as amended.

- City Manager Leroy D. Alsup addressed the Commission stating that according to State statute, there is a 10% tax collected on the sale of alcohol. This is collected by the State and 70% comes back to the local community. According to the statute, one-third goes to the City's General Fund, one-third goes to a Special Parks and Recreation Fund and one-third to Special Alcohol and Drug Programs Fund in the City Treasury. The amount to come back to the City for FY 2002 is $49,642.10. Using the same guidelines as established in 2001, $16,547.37 would be placed in the general fund and the city park fund; $4,470 would go to Four County Mental Health and $4,470 ADSAP and $7,607.37 to the Coffeyville Police Department.

- Judy Wilkins, Clinical Director of Four County Mental Health, addressed the Commission thanking them for the past support. Four County is licensed by the State as a provider of drug and alcohol treatment programs. Their focus is on education and prevention and they are beginning two new projects to address these areas. She requested that the City consider providing funding at the same percentages as last year rather than the same monetary amount.

- Denis Gallagher, ADSAP Director, addressed the Commission stating his organization appreciated the support they have received the past ten years.

- Commander Mike Adcock addressed the Commission stating the money received from this fund is used for the DARE program which has proved to be very successful in Coffeyville.

MOTION: Move to approve Resolution No. R-02-27 for adoption.

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

2. Resolution No. R-02-28: To authorize the execution of a FY 2002 "Weed Lot Mowing" contract with Production Maintenance Service in the sum of $16.00 for mowing a standard 50' by 140' lot and its adjacent parking area.

- City Inspector Jim Hayes addressed the Commission stating that two bids were received for weed lot mowing. Both were based on mowing a standard 50' x 140' city lot including the adjacent parking (area between curb and sidewalk) as well as providing a $500,000 liability insurance and furnishing all equipment necessary to complete the job. Hayes recommended awarding the contract to Production Maintenance Service based on their bid of $16 per lot.

MOTION: Move to approve Resolution No. R-02-28 for adoption.

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

3. Resolution No. R-02-29: To authorize the execution of Change Order No. 4 to the construction contract with Walters-Morgan Construction, Inc. for the wastewater treatment plant project, decreasing the contract price by the sum of $1,788.42. (KWPCRLF Project No. C-20-1252-01; Resolution No. R-00-13 – Original Contract; Resolution No. R-00-154 –Change Order No. 1; Resolution No. R-01-101 – Change Order No. 2; Resolution No. R-01-131 – Change Order No. 3).

- Water/Wastewater Utilities Director Chuck Shively addressed the Commission stating that this change order to the Walters-Morgan Construction contract addresses final quantities of two items. The first is sludge removal from the original digesters with an increase of $546.92. The second is hauling in activated sludge for seeding of the new sludge basins, which results in a decrease of $2,335.34. Since revolving loan funds are being used to finance the project, any change order requires KDHE approval.

MOTION: Move to approve Resolution No. R-02-29 for adoption.

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

4. Resolution No. R-02-30: To authorize the execution of an engineering services agreement with TranSystems Corporation in an amount not to exceed $29,124.00, based on hourly rates and direct expenses, for design and construction phase engineering services for the extension of sanitary sewer service to the Northbrook Subdivision.

- Water/Wastewater Utilities Director Chuck Shively addressed the Commission stating that a Request for Proposals was sent to three engineering firms to provide design and construction engineering services for the extension of sewer service to the Northbrook Subdivision. The 2002 Capital Improvement budget has $410,000 allotted for this project. The extension of sewer service it not part of the annexation agreement, therefore, the City would develop a joint participation agreement with the property owners to finance this project. Three proposals were received with each consisting of a preliminary study and report to determine the most feasible approach and route for the line. The second phase would consist of final design and bidding documents and the third would be for bidding services and construction engineering. It was recommended to award the engineering services to TranSystems Corporation in an amount not to exceed $29,124.

MOTION: Move to approve Resolution No. R-02-30 for adoption.

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

5. Resolution No. R-02-31: To authorize the execution of Amendment #1 to the January 1, 2001 through December 31, 2003 Personnel Manual/ Memorandum of Agreement with the International Brotherhood of Electrical Workers, Local 1523 (IBEW).

- City Manager Leroy D. Alsup addressed the Commission stating that this a housekeeping item. The IBEW was the first to settle their negotiations. This resolution would approve some different phrasing in section G of the agreement making it consistent with the other unions and also documents the agreement on wages.

MOTION: Move to approve Resolution No. R-02-31 for adoption.

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

6. Resolution No. R-02-32: To authorize the execution of a Professional Engineering Services Agreement in the sum of a maximum estimated cost of $200,000 with Allgeier, Martin & Associates, Inc. (AMA) for design, major material and construction contract preparation, administration and on-site construction inspection for the Coffeyville electrical system improvements to accommodate purchasing electric power and energy from the Grand River Dam Authority to serve the City's native load.

- Electric Utility Director Jeff Tullis addressed the Commission stating that when Substation B was designed provisions were made to someday utilize this new substation as a delivery point for wholesale power and energy to serve all the City's native load customers in addition to its original purpose of serving the Farmland Nitrogen Plant. Currently the City electric utility operates as two systems – one system interconnected with KGE at 69 kV that is used to serve the native load customers and a second system interconnected with PSO at 138 kV that is used to serve the Nitrogen Plant. The current contract with KGE for wholesale power and transmission services expires on September 30, 2002, and KGE has informed the City the contract will not be renewed and they have not offered an acceptable replacement contract.

  If KGE offered a new contract, they would require the City to operate as two separate systems or take delivery of all power and energy at 138 kV and abandon the 69 kV interconnections. Since Substation B was originally meant to be an alternative delivery point for wholesale power intended to serve native load, only one 138/69 kV step-down transformer was installed in 1999 although the substation as originally designed to handle two transformers. Once it became apparent that the City would not be allowed by KGE to pick and choose our delivery points and operate the system as one, plans were put into motion to add a second step-down transformer and auxiliary equipment at Substation B to provide the redundancy needed for what will eventually become the city's only access point to the regional electric transmission grid.

  This project was identified in 1999 so when the Series 2000 Electric Revenue Bond issue was passed, it included approximately $1.5 million to fund this project. Proceeds from the Series 2000 bond issue amounting to approximately $1.5 million are currently available in the electric reserve fund. The resolution is for an Engineering Services Agreement with Allgeier, Martin & Associates who provided the original design, bidding and construction services for Substation B in 1999 and a subsequent 69 kV add-on project during FY2000.

MOTION: Move to approve Resolution No. R-02-32 for adoption.

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

7. Kansas Municipal Energy Agency (KMEA) Board of Directors: Discussion and action by the Board of Commissioners to reappoint Mayor David Baldwin to serve as the "Governing Body" Member Director on the KMEA Board of Directors for an additional two-year term beginning May 1, 2002.

- Electric Utility Director Jeff Tullis addressed the Commission stating that a member from the governing board and a member of City staff serves on the Kansas Municipal Energy Agency Board.

MOTION: Move that Mayor David Baldwin be reappointed to serve as the "Governing Body" Member Director on the KMEA Board of Directors for an additional two-year term beginning May 1, 2002.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO ABSTAINED.

8. Resolution No. R-02-33: A resolution assuring and certifying to the Kansas Department of Commerce and Housing (KDOC&H) that the City of Coffeyville, Kansas, possesses legal authority to submit a FY 2002 Emergency Shelter Grant (ESG) program application, to receive and expend said grant funds; authorizing the Mayor and City Clerk to complete and submit a FY 2002 ESG application to KDOC&H and to act as the official representatives of the City and to authorize contracting with the Salvation Army as Sub-grantee to deliver the project services to the community.

- Special Projects Officer Jim Barnett addressed the Commission stating the Kansas Department of Commerce and Housing administers the State of Kansas' share of the Emergency Shelter Grant Program funds authorized by the state. Only City and County governments may apply and funds are used to contract with local qualified nonprofit organizations to meet the service needs of the community. A grant is being submitted on behalf of the Salvation Army who is requesting $3,000. The City serves only as a conduit in the application and distribution process and receives 2½% of the total funds allocated to assist with administrative costs.

MOTION: Move that Resolution No. R-02-33 be approved for adoption.

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

9. Coffeyville Regional Medical Center (CRMC): Discussion and action on an interim off-street parking plan for CRMC during their expansion and major renovations project to break ground during the summer of 2002.

- Architect/Planner Dennis Jacobs addressed the Commission stating that Jerry Marquette from CRMC met with the Planning and Zoning Commission and reviewed their parking plans during the construction period and post construction period at the hospital. Planning and zoning reviewed his plan and recommended that it go to the City Commission for review.

- Coffeyville Regional Medical Center Administrator Jerry Marquette addressed the Commission stating that when construction begins they will be closing 112 parking spaces and the front of the hospital will be closed. Marquette showed drawings of the hospital with the existing parking spaces that will be left along with new spaces they are planning. Marquette indicated they would like to keep the angle parking they currently have on Buckeye, but after construction is complete it would not be necessary to reach the number of spaces they are required to have.

- City Manager Leroy D. Alsup addressed the Commission stating that in the current zoning ordinance there are no provisions for interim parking plans and a final plan can only be done after the building is completed. Alsup stated that angle parking which backs into traffic is not a preferred parking plan. He requested that the hospital and architect submit to the City a final parking plan for review along with narrative on how they arrived at the number of parking spaces. Alsup also requested that all spaces on Buckeye be eliminated.

MOTION: Move to approve the interim off-street parking plan for CRMC during their expansion and major renovations project scheduled to break ground during the summer of 2002.

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

10. Resolution No. R-02-34: To authorize the completion and submission of a COPS MORE 2002 Application to the Office of Community Oriented Policing Services (COPS) of the U.S. Department of Justice.

- Commander Mike Adcock addressed the Commission stating that if approved this grant would be used to upgrade the current computer system. Currently officers have to enter items twice, however, this is an integrated system that would cut down on staff time. An application for this system was submitted last year, however, it was not funded.

MOTION: Move that Resolution No. R-02-34 be approved for adoption.

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

15. FY 2003 Municipal Budget Activity Schedule: Review and concurrence by the Board of Commissioners. Note: this item was completed during the April 23 portion of the meeting.

- Finance Director Jeff Morris reviewed with Commissioners the schedule that has been prepared for budget work sessions. The Commissioners agreed to the following days: Wednesday, July 24; Thursday, July 25; Friday, July 26; Tuesday, July 30' and Wednesday, July 31.

16. Resolution No. R-02-35: To authorize the execution of the Kansas Department of Transportation (KDOT) "Authority to Award Contract and Commitment of City Funds" Form to authorize the Secretary of Transportation to award and execute the necessary contracts with Beachner Construction Company, Inc. in the sum of $453,446.32 for the US-166 (11th Street & Buckeye Intersection Improvements and to commit the sum of $55,111.11 of City of Coffeyville funds as local matching for the Project. (KDOT Project # 166-63 U-1841-01). Note: this item was completed during the April 23 portion of the meeting.

- City Manager Leroy D. Alsup addressed the Commission stating that the bids for the 11th Street and buckeye intersection improvements were received in Topeka. The low bidder was Beachner from St. Paul, Kansas in the amount of $453,446.32. The KDOT STP safety project funds for this project pays 90% of construction and construction engineering services and the City is required to pay a 10% match. Additionally, the City is responsible for 100% of the cost of right-of-way acquisition, utility relocations and design engineering. The project is scheduled to begin June 1, have a total of 90 working days with the target completion to be mid September.

MOTION: Move that Resolution No. R-02-35 be approved for adoption.

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

EXECUTIVE SESSION(s).

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.
2. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 9:30 p.m.

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

ADJOURNMENT

MOTION: Move to adjourn.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER STRIMPLE TO ADJOURN UNTIL 5 P.M. THURSDAY, APRIL 25, 2002. ROLL CALL VOTE – ALL AYE.

TIME OF ADJOURNMENT: 9:30 P.M.

MAYOR BALDWIN RECONVENED THE MEETING AT 5 P.M., THURSDAY, APRIL 25, 2002. ALL COMMISSIONERS WERE IN ATTENDANCE.

11. First Reading Ordinance No. S-02-09: An ordinance of the governing body of the City of Coffeyville, Kansas authorizing the levy of a special one-half percent (0.50%) citywide retailers' sales tax ("Educational Sales Tax") and related matters.

- City Manager Leroy D. Alsup addressed the Commission stating this and the next Ordinance authorize the City to collect the one-half percent citywide retailers' sales tax for education and the one-half percent tax for health care that were approved by the voters on October 23, 2002. These taxes will not go on until the countywide sales tax for Cessna and AIW go off, and the City is waiting to hear from the Montgomery County Economic Development Authority when that will be. A report is expected to be released in May, but it appears the tax will go off on September 30 or December 31 of this year.

MOTION: Move that Ordinance No. S-02-09 be approved for First Reading.

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

12. First Reading Ordinance No. S-02-10: An ordinance of the governing body of the City of Coffeyville, Kansas authorizing the levy of a special one-half percent (0.50%) citywide retailers' sales tax ("Healthcare Sales Tax") and related matters.

MOTION: Move that Ordinance No. S-02-10 be approved for First Reading.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE

– ALL AYE.

13. First Reading Ordinance No. S-02-11: An ordinance authorizing the City of Coffeyville, Kansas to enter into an Intergovernmental Agreement with the Department of Revenue of the State of Kansas relating to collection and distribution of the proceeds of a special one-half percent (0.50%) city retailer's sales tax ("Educational Sales Tax") levied by the City to assist in providing certain school facilities and a special one-half percent (0.50%) city retailer's sales tax ("Healthcare Sales Tax") levied by the City to assist in providing certain healthcare facilities.

- City Manager Leroy D. Alsup addressed the Commission stating that when the City chartered out of Ordinance 23 we then had to arrange with the State of Kansas to collect the sales tax being levied for education and healthcare. This ordinance authorizes us to sign an intergovernmental agreement with the Department of Revenue for them to collect the sales tax on our behalf.

MOTION: Move that Ordinance No. S-02-11 be approved for First Reading.

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

14. First Reading Ordinance No. S-02-12: An ordinance authorizing the City of Coffeyville, Kansas to enter into an Interlocal Cooperation Agreement with Unified School District No. 445, Montgomery County, Kansas (Coffeyville) relating to application of the proceeds of a special one-half percent (0.50%) city retailer's sales tax ("Educational Sales Tax") to assist the District in providing certain school facilities and related matters.

- City Manager Leroy D. Alsup addressed the Commission stating that this ordinance is consistent with the discussion between the City of Coffeyville, the bond counsel and the school district relating to the application of the proceeds from the educational sales tax.

- Commissioner Trotter stated he was pleased at the effort that was put into protecting the City's money with this document.

MOTION: Move that Ordinance No. S-02-12 be approved for First Reading.

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

17. Resolution No. R-02-36: A resolution of the board of commissioners establishing FY 2002 User Fees for the Aquatic Center in Pfister Park.

NO ACTION ON THIS ITEM

18. Resolution No. R-02-35: To authorize the execution of a sixty-three (63) month "Contract for Electric Service" effective October 1, 2002 through December 31, 2007 with the Grand River Dam Authority (GRDA) for the purchase of a portion of the firm capacity and related energy as well as replacement and/or emergency energy from GRDA to serve the City Municipal Electric System's native load requirements.

NO ACTION ON THIS ITEM

I. EXECUTIVE SESSION(s).

3. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.
4. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 5:45 p.m.

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

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Water/Wastewater Department- April 18, 2002 memorandum form Chuck Shively, Water/Wastewater Director on the current status of the Coffeyville Water Supply.
2. Coffeyville Fire Department- March Report.
3. Planning & Engineering Department- February 13, 2002 correspondence from the Kansas Department of Commerce & Housing (KDOCH) expressing appreciation to Brandon Westervelt on the administration of the City's HOME Grant Homeowner Rehabilitation Program and March 13, 2002 correspondence from KDOCH documenting the closeout of the City's 1995 HOME Grant.
4. Coffeyville Recreation Commission- Minutes of the CRC March 14, 2002 Commission Meeting.
5. Coffeyville Public Library- Minutes of March 6, 2002 Library Board Meeting.
6. Coffeyville Cultural Arts council- Acknowledgement and thanks for the City's contribution to help support the Smithsonian Institute's traveling exhibit, "Yesterday's Tomorrows: Past Visions of the American Future" that will be on display in Coffeyville from September 27, 2002 to November 8, 2002.
7. Cox Communications- March 29, 2002 correspondence.
8. Montgomery County Action Council- Packet for their April 25, 2002 Board Meeting.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

L. ADJOURNMENT.

TIME THAT MEETING WAS RECONVENED 5:45 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 5:45 P.M. THURSDAY, APRIL 25, 2002

The next regular commission meeting is scheduled for May 14, 2002, at 7:15 p.m.

05/14/02
Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: Cindy Price

SPECIAL COMMISSION MEETING MINUTES
TUESDAY, MAY 7, 2002
5:30 P.M.

The Board of Commissioners met in Special Session with mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER LARRY TROTTER

Those absent were:
COMMISSIONER DEAN STRIMPLE

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS

Mayor Baldwin expressed condolences to the family of Commissioner Strimple in the recent death of his father.

A. Second Reading of Ordinance No. S-02-09: An ordinance of the governing body of the City of Coffeyville, Kansas authorizing the levy of a special one-half percent (0.50%) citywide retailers' sales tax (the "Educational Sales Tax") and related matters.

MOTION: Move that Ordinance No. S-02-09 be passed to Second Reading and approved for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT FOR COMMISSIONER STRIMPLE WHO WAS ABSENT.

B. Second Reading of Ordinance No. S-02-10: An ordinance of the governing body of the City of Coffeyville, Kansas authorizing the levy of a special one-half percent (0.50%) citywide retailers' sales tax (the "Healthcare Sales Tax") and related matters.

- City Manager Leroy D. Alsup addressed the Commission stating this ordinance is subject to a completed cooperation agreement between Coffeyville Regional Medical Center, the Public Building Commission and the City.

MOTION: Move that Ordinance No. S-02-10 be passed to Second Reading and approved for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT FOR COMMISSIONER STRIMPLE WHO

WAS ABSENT.

C. Second Reading of Ordinance No. S-02-11: An ordinance authorizing the City of Coffeyville, Kansas to enter into an Intergovernmental Agreement with the Department of Revenue of the State of Kansas relating to collection and distribution of the proceeds of a special one-half percent (0.50%) city retailer's sales tax (the "Educational Sales Tax") levied by the City to assist in providing certain educational facilities and a special one-half percent (0.50%) city retailer's sales tax (the "Healthcare Sales Tax") levied by the City to assist in providing certain healthcare facilities.

- City Manager Leroy D. Alsup addressed the Commission stating this ordinance will be sent to the Kansas Department of Revenue for approval. The original agreement from the KDOR included wording that the department could cancel the agreement with 90 days notice. The City has deleted this wording, but the KDOR may request that it be included.

MOTION: Move that Ordinance No. S-02-11 be passed to Second Reading and approved for adoption.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT FOR COMMISSIONER STRIMPLE WHO WAS ABSENT.

D. Second Reading of Ordinance No. S-02-12: An ordinance authorizing the City of Coffeyville, Kansas to enter into an Interlocal Cooperation Agreement with Unified School District No. 445, Montgomery County, Kansas (Coffeyville) relating to application of the proceeds of a city retailer's sales tax levied for educational purposes and available electric surplus fund revenues to assist the District in providing certain educational facilities and related matters.

MOTION: Move that Ordinance No. S-02-12 be passed to Second Reading and approved for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT FOR COMMISSIONER STRIMPLE WHO WAS ABSENT.

E. Resolution No. R-02-36: A resolution of the board of commissioners establishing FY 2002 User Fees for the Aquatic Center in Pfister Park.

- City Manager Leroy D. Alsup addressed the Commission stating the City has reviewed fee schedules from many aquatic centers in the area and are proposing the following fee schedule be adopted for daily admission into the pool: ages 0-2 – free; ages 3-7 - $2; ages 8 and up - $3. A book of 20 passes would be sold for $50 which would be a 50 cent discount per admission for a total of $10 savings. Other fee schedules will be set including those for large groups. Alsup stated the City is not trying to recapture the initial investment made in the pool but would like to break even on the operation of the pool.

MOTION: Move to accept the recommendations on daily admission prices for the Aquatic Center.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT FOR COMMISSIONER STRIMPLE WHO WAS ABSENT.

F. Adjournment.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 6:05 P.M. TUESDAY, 2002

The next regular commission meeting is scheduled for May 14, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 05/14/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, MAY 14, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
ELECTRIC UTILITIES DIRECTOR JEFF TULLIS
ENGINEERING TECH BRANDON WESTERVELT

A. INVOCATION.

1. Reverend Mary Alice Knewtson, St. James United Methodist Church.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular City Commission Meeting Minutes- Tuesday, April 23, 2002.

ACTION: APPROVED AS PRESENTED

2. Special City Commission Meeting Minutes- Tuesday, May 7, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-22 - $1,816,117.96

MOTION: Move to approve Appropriation Ordinance No. AO-02-22 in the total amount of $1,816.117.96 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS.

AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE.

2. Appropriation Ordinance No. AO-02-23 (Strimple) - $214.99

MOTION: Move to approve Appropriation Ordinance No. AO-02-23 in the total amount of $214.99 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO ABSTAINED.

3. Appropriation Ordinance No. AO-02-24 (Edwards) - $2,360.24

MOTION: Move to approve Appropriation Ordinance No. AO-02-24 in the total amount of $2,360.24 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER EDWARDS WHO ABSTAINED.

4. Appropriation Ordinance No. AO-02-25 (Trotter) - $306.99

MOTION: Move to approve Appropriation Ordinance No. AO-02-25 in the total amount of $306.99 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO ABSTAINED.

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

1. NONE.

G. OLD BUSINESS.

1. NONE.

H. NEW BUSINESS.

1. Resolution No. R-02-36: To authorize the execution of amendments for the following Substation "B" Materials Contracts: Amendment No. 1 to contract CVE-98-2M (138/69/13.8 kV autotransformer) with Waukesha-North American, in the sum of $623,000.00; Amendment No. 1 to Contract CVE-98-3M (138 kV breakers) with

Siemens Energy & Automation, Inc., in the sum of $48,390.00; Amendment No. 3 to Contract CVE-98-4M (69 kV breakers) with Siemens Energy & Automation, Inc., in the sum of $31,200.00; Amendment No. 2 to contract CVE-98-13m (138 kV switches) with Pascor Atlantic, in the sum of $19,380.00; Amendment No. 2 to Contract CVE-98-15M (69 kV switches) with USCO Power Equipment Corporation in the sum of $12,308.00; and Amendment No. 2 to Contract CVE-98-17M (instrument transformers) with Kuhlman Electric Corporation, in the sum of $54,500.00.

- Electric Utility Director Jeff Tullis addressed the Commission stating the City's consultant, Allgeier, Martin & Associates, has recommended these amendments to add materials and equipment to the original Substation "B" materials contracts CVE-98-2M, 3M, 4M, 13M, 15M, and 17M. The six amendments are being proposed for the purchase of materials necessary for the addition of a second 138/69/18.8 kV step-down transformer at Substation "B." Plans are to have this second transformer installed and operational by October 1, 2002, when the City begins to purchase its power from GRDA through its interconnection at Substation B with American Electric Power. Approximately $1.5 million in funding for this project was provided by the Series 2000 Electric Utility Bond Issue.

MOTION: Move to approve Resolution No. R-02-36 for adoption.

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

2. Resolution No. R-02-37: To authorize the renewal of an engineering services agreement with Sega, Inc. for the continued provision of professional engineering services to the City's Municipal Electric Utility Department on an as-needed basis.

- Electric Utility Director Jeff Tullis addressed the Commission stating the City and consulting engineering group known as Sega, Inc., entered into an engineering services agreement effective April 1, 1996, for the provision of said services by Sega to the electric department on an as-needed basis. Since 1996, Sega has provided their services on numerous projects at the municipal power plant, and this agreement comes up for renewal every two years. Renewal of this agreement does not obligate the City to purchase any amount of services from Sega, it merely provides the electric department ready access to consultation services on an as-needed basis.

MOTION: Move to approve Resolution No. R-02-37 for adoption.

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

3. Resolution No. R-02-38: To authorize the execution of a "Power Sales Contract" by and between the City of Coffeyville and the United States Department of Energy, Southwestern Power Administration (SWPA).

- Electric Utility Director Jeff Tullis addressed the Commission stating the Southwestern Power Administration (SWPA) is one of four Federal Power Marketing Administrations (PMAs) established as part of the Flood Control Act of 1944. This resolution would authorize a 15-year extension of the agreement we currently have with SWPA. The mission of SWPA is to promote the widespread use of power and energy generated by federal hydroelectric projects at the lowest possible rates consistent with sound business principles. Federal hydropower is and should be some of the lowest cost energy available to the City of Coffeyville. Simplification of both the delivery path and financial transactions for this energy will reduce the total cost from approximately $30/MWh annually to less than $1/MWh.

MOTION: Move to approve Resolution No. R-02-38 for adoption.

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

4. Resolution No. R-02-39: To authorize the execution of a "Power Marketing Services Agreement" by and between the City of Coffeyville and the Tenaska Power Services Company (TPS).

- Electric Utility Director Jeff Tullis addressed the Commission stating that Teneska Power Services Co. (TPS) is a privately-held international energy company that develops, owns and operates independent power plants and provides natural gas and electric power marketing, trading and risk management services. Under this contract, TPS proposes to assist the City in optimizing the use of electric power supply resources available under the City's existing and proposed power supply and transmission contracts. This contract is good for one year and renews for additional one-year terms unless terminated by either party with at least 180 days written notice. Costs for each transaction will vary depending on the services provided and are defined within the contract document. There are no costs involved unless the City has approved specific transactions based on overall economic benefit. Having an independent power marketing organization that has a thorough working knowledge and presence within the regional electric power market will hopefully result in the City having some opportunities for savings in power supply costs that it would not have otherwise.

MOTION: Move to approve Resolution No. R-02-39 for adoption subject to final review of the TPS marketing agreement by City staff and City Attorney.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE

AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE.

5. Resolution No. R-02-40: To authorize the execution of a sixty-three (63) month "Contract for Electric Service" effective October 1, 2002 through December 31, 2007 with the Grand River Dam Authority (GRDA) for the purchase of a portion of the firm capacity and related energy as well as replacement and/or emergency energy from GRDA to serve the City Municipal Electric System's native load requirements.

- Electric Utility Director Jeff Tullis addressed the Commisison stating that the Grand River Dam Authority is a public power utility created in 1935 as an agency of the state of Oklahoma. GRDA produces and distributes electricity directly to 13 municipal communities spread across a 24-county service area in Northeast Oklahoma and sells energy off-system to several municipals located in Missouri, Arkansas and Kansas. During 2001, GRDA sold over 5,600,000 MWh of energy, which generated over $182 Million in sales revenues. In July 1999, the City began purchasing firm power and energy from GRDA for resale to the Farmland Nitrogen Plant. During 2001, the City purchased a total of 433,000 MWh of firm power at a cost of just over $13.7 Million. The City and GRDA have recently agreed to extend the term of the existing contract an additional 5 years ending December 31, 2007.

MOTION: Move to approve Resolution No. R-02-40 for adoption subject to final review of the GRDA electric contract by City staff and City Attorney.

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

6. Resolution No. R-02-43: To authorize the execution of a materials contract with Tower Components, Inc. in the sum of $12,007.56 for Contract CVE-02-2M (steel structures) for addition of a 138/69/13.8 kV transformer at Substation B.

- Electric Utility Director Jeff Tullis addressed the commission stating that on May 9th, bids were received for steel structures for the addition of the 138/69/18.8 kV transformer at Substation B.

MOTION: Move to approve Resolution No. R-02-43 for adoption.

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

7. Resolution No. R-02-41: To authorize the issuance of a purchase order to Strimple Sign & Graphics, Inc., in the sum of $6,494.00 for a Dixon ZTR Model 5023 Mower with a 50 inch deck, a No. 452 Blower/Vacuum and a No. 61 Clamshell Bagger System with an 8.5 bushel capacity for the Aquatic Center in Pfister Park.

- City Manager Leroy D. Alsup addressed the Commission stating three companies have provided bids for a lawnmower for the Aquatic Center. There was a $150 difference between the low bidder and a local vendor and for that amount, the preference is to go with the local vendor.

MOTION: Move to approve Resolution No. R-02-41 for adoption.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT FOR COMMISSIONER STRIMPLE WHO ABSTAINED.

8. Resolution No. R-02-44: To authorize the execution and submission of Contract Amendment/Request #3 on CDBG Project No. 98-CP-006 extending the completion date on the said project from March 30, 2002 to September 30, 2002.

- Engineering Tech Brandon Westervelt addressed the Commission stating the Engineering Department has prepared a proposed Time Extension to the 1998 Comprehensive Grant. The proposed time extension will ensure the City does not exceed the three-month closeout time allowed by the Kansas Department of Commerce and Housing. The current completion date was March 30, 2002; therefore our current closeout deadline will be June 30, 2002. However, the City is waiting on the Department of Labor to process a Request for Additional Clasification Rate to meet the Labor Standards obligation of the grant agreement. The City's Field Representative, Anthony Allen with KDOCH has recommended the City prepare the proposed time extension. The proposed time extension will ensure the City does not exceed the 3-month period allowed for grant closeout.

MOTION: Move to approve Resolution No. R-02-44 for adoption.

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

9. Resolution No. R-02-42: A Resolution of the board of commissioners establishing FY 2002 User Fees for the Aquatic Center in Pfister Park.

NO ACTION TAKEN ON THIS ITEM

I. EXECUTIVE SESSION(s).

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.
2. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 9:15 p.m.

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

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Fire Department:
   - April Fire Report.
   - April Monthly Building Permit Report.
   - Before and after pictures on five clean-up & unsafe structure demolitions.
2. Public Service Department: FY 2002 unsafe structure demolition report.
3. Police Department: Inoperable vehicle report.
4. Water/Wastewater:
   - Public Water Supply Capacity Survey
   - Copy of Invitation to Bid on Water Treatment Plant Improvements.
5. Public Library: April 10, 2002 minutes of April 10, 2002 Library Board Meeting.
6. Coffeyville Regional Medical Center:
   - Notice of Board Meetings for May & June 2002.
   - Agenda for April 24, 2002 CRMC Board of Directors Meeting & related information.
7. May 4, 2002 letter of appreciation from George A. London.
8. May 9, 2002 letter of appreciation from Tony A. Topeka.
9. April 29, 2002 letter of appreciation from Spears Manufacturing Company.

K. ADDITIONAL BUSINESS.

1. Comments by the Public-

   - Commissioner Trotter thanked the police, fire, electric and public service departments

   - Commissioner Strimple thanked the City for the kindnesses shown to him and his family following the death of his father.

   - Mayor Baldwin commented on two letters in the agenda packet from citizens expressing their appreciation to the City for assistance with limb removal. for the job they performed during and after the storms.

L. ADJOURNMENT.

TIME THAT MEETING WAS RECONVENED 9:15 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 9:15 P.M. THURSDAY, MAY 14, 2002

The next regular commission meeting is scheduled for May 28, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 05/28/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, JUNE 11, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
SPECIAL PROJECTS OFFICER JIM BARNETT
WATER/WASTEWATER DIRECTOR CHUCK SHIVELY

A. INVOCATION.

1. Father Jerry Adinolfi, St. Paul's Episcopal Church.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular City Commission Meeting Minutes- Tuesday, May 28, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-29 - $1,448,263.36

MOTION: Move to approve Appropriation Ordinance No. AO-02-29 in the total amount of $1,448,263.36 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY COMMISSIONER STRIMPLE. ROLL

CALL VOTE – ALL AYE.

2. Appropriation Ordinance No. AO-02-30 (Strimple) - $845.36
MOTION: Move to approve Appropriation Ordinance No. AO-02-30 in the total amount of $845.36 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO ABSTAINED.

3. Appropriation Ordinance No. AO-02-31 (Trotter) - $342.33
MOTION: Move to approve Appropriation Ordinance No. AO-02-31 in the total amount of $342.33 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO ABSTAINED.

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

1. Recognition of Abby Andres for winning the "Name the Frog Contest" for the Frog Slide at Coffeyville Aquatic Center in Pfister Park. Winning Name- "Pfister Frog"

- Mayor David Baldwin presented Abby Andres a plaque in recognition of her submitting the winning entry in the Name the Frog Contest.

2. Chamber Quarterly Report

- Coffeyville Area Chamber of Commerce Community Development and Tourism Director Lance Allred reviewed the activities of the Chamber for the first quarter of 2002.

G. OLD BUSINESS.

1. NONE.

H. NEW BUSINESS.

1. Coffeyville Public Library Board-**Two Positions**: Review resumes; allow applicants in attendance to present themselves, if they so desire; and action by the Board of Commissioners to appoint one individual to fill an unexpired term through April 30, 2003 and appoint one individual to a new Four-Year term through April 30, 2006.

Reference Note: All Board Members must be Coffeyville residents.

Applicants: *Nedra Troxel and Teri Robinson.*

MOTION: Move that Nedra Troxel be appointed to fill a new four-year term on the Coffeyville Public Library Board through April 30, 2006, and that Terri Robinson be appointed to fill an unexpired term serving through April 30, 2003.

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

2. Senior Citizens Activity Center Board- **One Position**: Review resumes; allow applicants in attendance to present themselves, if they so desire; and action by the Board of Commissioners to appoint one individual to a new three-year term through June 1, 2005.

Reference Note: *No residency requirement.*

Applicants: *Kenneth Emery*

MOTION: Move that Kenneth Emery be appointed to fill a new three-year term on the Senior Citizens Activity Center Board through June 1, 2005.

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

3. Montgomery County Community Corrections Advisory Board- **Two Positions**: Review resumes; allow applicants in attendance to present themselves, if they so desire; and action by the Board of Commissioners to appoint two individuals to unexpired terms through February 9, 2003.

Reference Note: *If possible, of the members appointed by the governing bodies of cities in accordance with Subsection (a)(7), members shall be representative of one or more of the following: (1) parole officers; (2) public or private social agencies; (3) ex-offenders; (4) the health professions; and the general public. At least two members of each corrections advisory board shall be representative of ethnic minorities and no more than two-thirds of the members of each board shall be members of the same sex.*

Applicants: *Philip R. Johnson.*

MOTION: Move that Philip R. Johnson be appointed to fill an unexpired term on the Montgomery County Community Corrections Advisory Board through February 9, 2003.

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

4. Resolution No. R-02-51: To authorize the execution of a construction contract with BRB Contractors, Inc. in the sum of $1,952,000.00 for the Water Treatment Plant Upgrade Project (Kansas Public Water Supply Loan Fund Project No. 2250), subject to Kansas Department of Health & Environment approval and contingent upon submittal of all required documentation by BRB Contractors, Inc.

- Water/Wastewater Director Chuck Shively addressed the Commission stating that on May 29, 2002, bids were opened for construction of the Water Treatment Plant Upgrade project, which is being funded by Loan No. 2250 from the Kansas Public Water Supply Loan Fund (KPWSLF) through the Kansas Department of Health & Environment (KDHE). Six bids were received; City Staff recommends awarding the contract to BRB Contractors, Inc., in the total amount of $1,952,000 contingent upon KDHE approval.

MOTION: Move to approve Resolution No. R-02-51 for adoption.

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

5. First Reading Ordinance No. S-02-13: an ordinance authorizing the City of Coffeyville, Kansas to issue its Taxable Industrial Revenue Bonds, Series 2002 (Amazon.com Project) in the aggregate principal amount of $18,116,371.92 for the purpose of paying, or reimbursing the payment of, the costs of acquiring and remodeling an existing commercial warehouse facility; authorizing execution of a bond agreement by and among the City, PCCR - TGFW II, LLC, (the "Tenant"), Panattoni Investments, LLC, as nominee for the Tenant and US bank; authorizing the City to lease such facility to the Tenant and U.S. Bank, National Association; authorizing the City to lease such facility to the Tenant; authorizing execution of a Lease between said City and the Tenant and repealing parts of Ordinance No. S-00-19 of the City.

- City Manager Leroy D. Alsup addressed the Commission stating that when the group from Wichita purchased the Golden Book they used interim financing while they marketed the facility. Amazon.com leased the facility and an additional 300,000 square feet was added. This ordinance will authorize the City to issue industrial revenue bonds for Amazon which will provide a permanent financing vehicle for the owners and also a ten-year tax exemption on the new addition to the building. Taxes will be paid on the existing building. This is not a loan, and the City is not pledging full faith and credit. Amazon and the bank hope to close this deal on Friday, therefore, a special meeting of the

Commissioners has been called for Thursday to hold the second reading of the ordinance.

- Commissioner Trotter asked about Amazon.com being located outside the City limits and the City issuing the IRB's.

- City Manager Leroy D. Alsup stated the City works with all the businesses in the Industrial Park and any that have received IRB's previously have gone through the City.

MOTION: Move that Ordinance No. S-02-13 be approved for First Reading.

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

6. First Reading Ordinance No. S-02-14: An ordinance authorizing the City of Coffeyville, Kansas to enter into a Cooperation Agreement with Coffeyville Regional Medical Center, Inc. (CRMC, Inc.), and the Board of Trustees of the Coffeyville Memorial Hospital relating to application of the proceeds of a special one-half percent (0.50%) city retailer's sales tax ("Healthcare Sales Tax") to finance certain healthcare facility improvements and related matters.

- City Manager Leroy D. Alsup addressed the Commission stating he is still working on the agreement and all the details will be worked out for second reading. One of the requirements when passing the sales tax was there was to be a cooperation agreement between CRMC, Inc., (the non-profit), the Board of Trustees (representing the municipal side) and the City. This agreement is one of the documents required.

MOTION: Move that Ordinance No. S-02-14 be approved for First Reading.

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

7. Resolution No. R-02-52: To authorize the submission of the City's Planned Priority Public Works Projects List to the Southeast Kansas Regional Planning Commission (SEKRPC) for inclusion in the SEKRPC Comprehensive Economic Development Strategy (CEDS).

- Special Projects Officer Jim Barnett addressed the Commission stating that every two years the Southeast Kansas Regional Planning Commission updates its Comprehensive Economic Development Strategy (CEDS) and submits it to other State and Federal governing agencies. Cities within member Counties are invited to submit their Priority Public Works List to be included in the SEKRPC CEDS.

Staff has prepared and attached a suggested listing of future projects costing in excess of $100,000 to be included in the SEKRPC Comprehensive Economic Development Strategy.

MOTION: Move that Resolution No. R-02-52 be approved for adoption.

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

I. EXECUTIVE SESSION(s).

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.
2. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 9:15 p.m.

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

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Finance Department- Report on Property Tax Receipts.
2. Fire Department- May Fire Report.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

- Earl Howard, 403 West Ninth, Coffeyville, addressed the Commission stating that Crescent Oil recently sponsored a golf tournament at Hillcrest Golf Course for the Muscular Dystrophy Association. The tournament directors gave the golf course a good report and were pleased with how things were handled. There were 150 people attending and they raised $24,000.

- Leon Butterfield, 1215 West First Street thanked those involved with the cosmetic work at LeClere Park.

L. ADJOURNMENT.

TIME THAT MEETING WAS RECONVENED 9:15 P.M. MAYOR BALDWIN

STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 9:15 P.M. THURSDAY, JUNE 11, 2002

The next regular commission meeting is scheduled for June 25, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 06/25/02

SPECIAL COMMISSION MEETING MINUTES
TUESDAY, JUNE 13, 2002
5:30 P.M.

The Board of Commissioners met in Special Session with mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER LARRY TROTTER
COMMISSIONER DEAN STRIMPLE

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
FINANCE DIRECTOR JEFF MORRIS
SPECIAL PROJECTS OFFICER JIM BARNETT
DIRECTOR OF PLANNING AND ENGINEERING JEFF PASSANTINO

A. Second Reading Ordinance No. S-02-13: An ordinance authorizing the City of Coffeyville, Kansas to issue its Taxable Industrial Revenue Bonds, Series 2002 (Amazon.com Project) in the aggregate principal amount of $18,116,371.92 for the purpose of paying, or reimbursing the payment of, the costs of acquiring and remodeling an existing commercial warehouse facility; authorizing execution of a bond agreement by and among the City, PCCR - TGFW II, LLC, (the "Tenant"), Panattoni Investments, LLC, as nominee for the Tenant and US bank; authorizing the City to lease such facility to the Tenant and U.S. Bank, National Association; authorizing the City to lease such facility to the Tenant; authorizing execution of a Lease between said City and the Tenant and repealing parts of Ordinance No. S-00-19 of the City.

MOTION: Move that Ordinance No. S-02-13 be passed to Second Reading and approved for adoption.

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

B. Resolution No. R-02-53: To authorize the execution of three separate roof repair contracts with General Construction, Highland Builders, and Murrel Roofing to repair the roofs on various City owned buildings damaged in the May 7, 2002 Hail Storm.

- Director of Planning and Engineering Jeff Passantino addressed the Commission stating the Engineering Department met with an adjuster for EMC Insurance Company. Every City owned building roof was examined for damage caused by the storm on May 7, 2002. Three contractors will be used to repair the damage on the 30 roofs damaged.

MOTION: Move that Resolution No. R-02-53 be approved for adoption.

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

C. Adjournment.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 6:41 P.M., THURSDAY, JUNE 13, 2002

The next regular commission meeting is scheduled for June 25, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 06/25/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, JUNE 25, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
ELECTRIC UTILITY DIRECTOR JEFF TULLIS
ENGINEERING TECH BRANDON WESTERVELT

A. INVOCATION.

1. Reverend Gerald Morris, Grace Fellowship Church.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular City Commission Meeting Minutes- Tuesday, June 11, 2002.

ACTION: APPROVED AS PRESENTED

2. Special City Commission Meeting Minutes- Thursday, June 13, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-32 - $2,233,394.16

MOTION: Move to approve Appropriation Ordinance No. AO-02-32 in the total amount of $2,233,394.16 for adoption.

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

2. Appropriation Ordinance No. AO-02-33 (Baldwin) - $5,718.94

MOTION: Move to approve Appropriation Ordinance No. AO-02-33 in the total amount of $5,718.94 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO ABSTAINED.

3. Appropriation Ordinance No. AO-02-34 (Strimple) - $9,433.78

MOTION: Move to approve Appropriation Ordinance No. AO-02-34 in the total amount of $9,433.78 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO ABSTAINED.

4. Appropriation Ordinance No. AO-02-35 (Edwards) - $2,940.57

MOTION: Move to approve Appropriation Ordinance No. AO-02-35 in the total amount of $2,940.57 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER EDWARDS WHO ABSTAINED.

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

1. Public Hearing: To evaluate the performance of the CDBG Comprehensive Development Grant Project No. 98-CP-006.

- Engineering Tech Brandon Westervelt addressed the Commission stating that one of the requirements for close-out of the 98-CP-006 CDBG Grant is that the City hold a "Performance Public Hearing" in order to facilitate oral and written public participation and comment as to project performance. Grant close-out is required by December 30, 2002. Projects included in this grant were demolition of several buildings and 40 houses, water and sewer line replacement, street improvements, drainage/flood improvements, home rehabilitations as well as improvements to Harmon Park, all located on the east side of Coffeyville.

- Mayor Baldwin opened the hearing for public comments.

- Donna Payden, 410 Park, addressed the Commission stating she was concerned about the process for choosing homes to be part of the rehabilitation portion of the grant. Her mother, Elsie Cornett, 810 W. 12th, had contacted the Engineering Department and been told she was on the list.

- Leroy D. Alsup stated there were more needs than money available and after completing some research, a letter would be sent to Mrs. Cornett documenting the order of applications and why this particular house was not funded.

- Mayor Baldwin closed the hearing for public comments.

G. OLD BUSINESS.

1. NONE.

H. NEW BUSINESS.

1. Resolution No. R-02-54: To authorize the execution of a construction contract with Highland Builders to construct a Veterans Memorial Shelter/Pavilion and related improvements at Fairview Cemetery.

   - Engineering Tech Brandon Westervelt addressed the Commission stating that bids had been requested for construction of a veterans memorial building at Fairview Cemetery. This building would be used for graveside services and for Veterans Day and Memorial Day activities at cemetery. The work includes construction of a 1,500 square foot building, a 9,300 square foot parking lot, cemetery road improvements and erection of a new flagpole. The funding for this project is from the portion of the insurance proceeds from Memorial Hall reserved for memorials to veterans.

   MOTION: Move that Resolution No. R-02-54 be approved for adoption.

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

2. Resolution No. R-02-55: To authorize the execution of Electric Department Labor & Materials Contract No. CVE-02-1LM for the addition of a 45/60/75 MVA autotransformer and associated equipment at Substation "B".

   - Electric Utility Director Jeff Tullis addressed the Commission stating that bids were opened for a construction project known as Substation B-Transformer Addition (Contract CVE-02-1LM) to add a 45/60/75 MVA Autotransformer and associated equipment to Substation B for the purpose of providing a redundant

9 kV power source at the City's interconnection point with the transmission grid of the Public Service Company of Oklahoma (PSO), a subsidiary of American Electric Power (AEP). The Re-Con Company is familiar with this project as they were the contractor on the original Substation B project in 1999 and also constructed the first addition to Substation B in 2000.

MOTION: Move that Resolution No. R-02-55 be approved for adoption.

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

I. EXECUTIVE SESSION(s).

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.
2. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 9:00 p.m.

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

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Finance Department- Retailer's Sales Tax Revenue Reports.
2. Fire Department- May 2002 Building Permit Report.
3. Public Service Department- Housing Demolition Report.
4. Administration- Jarrod Powers' HVAC Technology Course Transcript and Certification.
5. City Clerk- Notice of Board Openings.
6. Planning Commission- Minutes of April 2, 2002 Commission Meeting.
7. Recreation Commission- Minutes of May 8, 2002 and May 15, 2002 Recreation Commission Meetings.
8. Coffeyville Regional Medical Center- Minutes and Financial Reports.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

L. ADJOURNMENT.

TIME THAT MEETING WAS RECONVENED 9:00 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 9:00 P.M. TUESDAY, JUNE 25, 2002.

The next regular commission meeting is scheduled for July 9, 2002, at 7:15 p.m.

Cindy Price
Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 07/09/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, JULY 23, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
CITY INSPECTOR JIM HAYES
ENGINEERING TECH BRANDON WESTERVELT

A. INVOCATION.

1. Reverend Henry Calhoun, Associate Pastor, First Assembly of God Church.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular City Commission Meeting Minutes- Tuesday, July 9, 2002.

ACTION: APPROVED AS PRESENTED

2. Special City Commission Meeting Minutes- Wednesday, July 17, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-40 - $2,178,349.07

MOTION: Move to approve Appropriation Ordinance No. AO-02-40 in the total amount of $2,178,349.07 for adoption.

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

2. Appropriation Ordinance No. AO-02-41 (Baldwin) - $6,274.53

MOTION: Move to approve Appropriation Ordinance No. AO-02-41 in the total amount of $6,274.53 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO ABSTAINED.

3. Appropriation Ordinance No. AO-02-42 (Strimple) - $39.96

MOTION: Move to approve Appropriation Ordinance No. AO-02-42 in the total amount of $39.96 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY COMMISSIONER TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO ABSTAINED.

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

1. NONE.

G. OLD BUSINESS.

1. NONE.

H. NEW BUSINESS.

1. Resolution No. R-02-62: A resolution fixing the time and place for a hearing before the governing body of the City of Coffeyville, Kansas, at which time the owner, the owner's agent, any lienholders of record and any occupant of structures identified by lot and block number and street address in the body of this resolution, may appear and show cause why such structures should not be condemned and ordered repaired or demolished as a dangerous or unsafe structure, and providing for notice of the hearing in a manner provided by K.S.A. 12-1752.

- City Inspector Jim Hayes addressed the Commission stating that he was presenting 31 properties to the Commission to be condemned.

- Commissioner Edwards suggested that property owners adjacent to those on the condemnation list receive letters about the proposed condemnation.

MOTION: Move that Resolution No. R-02-62 be approved for adoption.

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

2. Discussion and action by the Board of Commissioners to approve a 2002 cereal malt beverage license for Delfino Ortiz d/b/a El Pueblito Mexican Restaurant at 1503 West Eleventh Street, Coffeyville, KS.

- City Clerk Cindy Price addressed the Commission stating the application for El Pueblito was not completed and once it was finalized it would be brought before the Commissioners.

NO ACTION TAKEN ON THIS ITEM

3. Resolution No. R-02-63: To authorize the completion and submission of a FY 2005 "KLINK" Resurfacing Project Application to the Kansas Department of Transportation (KDOT) for surface grinding, joint repair and cutting & sealing expansion joints on 2,133 linear feet of the South Walnut (Hwy 169) roadway.

- Engineering Tech Brandon Westervelt addressed the Commission stating the Kansas Department of Transportation is currently requesting applications for state funding under their KLINK Resurfacing Program. This is a resurfacing program to improve roadway surfacing of City Connecting Links of the State Highway System with funding based upon the size of cities. The proposed application would be for 2,123 linear feet of pavement on south US Highway 169 directly south of KLINK projects currently funded and would include surface grinding, joint repair and cutting and sealing expansion joints. The total cost is approximately $398,320, WITH THE STATE TO FUND 50 percent.

MOTION: Move that Resolution No. R-02-63 be approved for adoption.

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

4. Resolution No. R-02-64: To authorize the completion & submittal of a FY 2006 Economic Development Project to the Kansas Department of Transportation (KDOT) for improvements to Cline Road from Eleventh Street (HWY 166) to Eighth Street, inclusive of the intersection of Cline Road and Eleventh Street (HWY 166).

- Engineering Tech Brandon Westervelt addressed the Commission stating this application is for state funding under the Kansas Department of Transportation

Economic Development Program. This program of highway and bridge construction is intended to enhance the economic development of the state . Proposed projects must have a minimum local match of 25% with the state funding 70% up to a maximum state contribution of $2,000,000. Staff is recommending an application be submitted for a three-lane road on Cline Road from US Highway 166 north to Eighth Street. The cost is approximately $1,285,563 with $964,172 in grant funding requested from the State.

MOTION: Move that Resolution No. R-02-64 be approved for adoption.

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

5. Resolution No. R-02-65: To authorize the execution of a contract with Kiefer Specialty Flooring, Inc. in the sum of $94,644.00 to install per the bid specifications a new Mondo 6.5 MM Sport HP Vinyl Floor Covering on the Youth Activity Center Gym Floor ($33,418.00) and to install the same new floor covering along with furnishing and installing the appropriate standard floor sockets and flush floor caps for two Centerline Volleyball Systems on the Coffeyville Recreation Center Gym Floor ($61,226.00).

- Finance Director Jeff Morris addressed the Commission stating that bids had been requested to replace the floors at the Recreation Center and Youth Activities Center with a Mondo 6.5 MM Sport HP vinyl floor. Two bids were received at a cost of $33,418 for the Youth Activity Center and $61,226 for the Recreation Center. The City would pay for both floors and the Recreation Commission would reimburse the City for the floor at Recreation Center. The total cost to the City would be $33,418.

- Commissioner Trotter requested additional time to study the recommendation.

NO ACTION TAKEN ON THIS ITEM

I. EXECUTIVE SESSION(s).

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.
2. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 10:00 p.m.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND

SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE - ALL AYE.

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Fire Department- June Fire Report.
2. Police Department- June Inoperable Vehicle Summary.
3. Planning Commission- Minutes of June 4, 2002 Meeting.
4. Public Library- Minutes of June 5, 2002 Meeting.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

L. ADJOURNMENT.

TIME THAT MEETING WAS RECONVENED 10:00 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 10:00 P.M. TUESDAY, JULY 23, 2002.

The next regular commission meeting is scheduled for August 13, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 08/13/02

SPECIAL COMMISSION MEETING MINUTES
WEDNESDAY, JULY 24, 2002
1:15 P.M.

The Board of Commissioners met in Special Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
FINANCE DIRECTOR JEFF MORRIS
CITY TREASURER STEPHANIE RICHARDSON
WATER/WASTEWATER DIRECTOR CHUCK SHIVELY
WATER/WASTEWATER SUPERINTENDENT JIM BRADSHAW

A. FY 2003 Municipal Budget Work Session.

- City Manager Leroy D. Alsup addressed the Commission presenting an overview of the Water/Wastewater including employee breakdown, rate comparisons between other communities, rate ordinance format and revenue forecast impact.

- Finance Director Jeff Morris presented a detailed schedule of planned expenditures as well as utilization of the loan funds.

Commissioner Trotter left the meeting at 2:45 p.m.

B. Action by the City Commission to schedule a Public Hearing on the FY 2003 Municipal Budget at 7:15 p.m. on Tuesday, August 13, 2002.

MOTION: Move to schedule A Public Hearing on the FY 2003 Municipal Budget at 7:15 p.m. on Tuesday, August 13, 2002.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO WAS ABSENT.

C. Adjournment.

MOTION: Move to adjourn.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO WAS ABSENT.

TIME OF ADJOURNMENT: 3:45 P.M. TUESDAY, JULY 24, 2002.

The next regular commission meeting is scheduled for August 13, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 08/13/02

SPECIAL COMMISSION MEETING MINUTES
TUESDAY, JULY 30, 2002
1:15 P.M.

The Board of Commissioners met in Special Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
LEROY ALSUP
CINDY PRICE
JEFF MORRIS
STEPHANIE RICHARDSON
REX JERRIM
DAVE HANNA
JOHN MCDEVITT
BOB YORK
JIM BARNETT
T. J. JOHNSON
GREG ALLEN
JEFF PASSANTINO
BRANDON WESTERVELT
CHUCK SHIVELY
BUTCH HYATT
JOE HUMBLE
MIKE ADCOCK
MIKE BROWN
JEFF TULLIS

A. Executive Session: Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for discussion on personnel matters of non-elected personnel to reconvene on or before 2:05 p.m.

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

TIME THAT MEETING WAS RECONVENED 2:05 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

B. FY 2003 Municipal Budget Work Session:

- Overview

- General Fund- Fund #1
- Employee Benefit Fund- Fund #4

- Bond & Interest Fund- Fund #9
- Industrial Levy Fund- Fund #13
- Library Fund- Fund #2

- Electric Utility Fund- Fund # 80
- Electric Depreciation/Improvement Reserve Fund #81
- Electric Debt Service Fund- Fund #82
- Electric Bond Reserve Fund- Fund #83
- Electric Surplus Fund – Fund #84
- Electric Bond Projects- Fund #89

MOTION: Move to recess to executive session for discussion of personnel matters of non-elected personnel to reconvene on or before 5:00 p.m.

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

TIME THAT MEETING WAS RECONVENED 4:55 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

C. Adjournment.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 4:55 P.M. TUESDAY, JULY 30, 2002.

The next regular commission meeting is scheduled for August 13, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 08/13/02

SPECIAL COMMISSION MEETING MINUTES
TUESDAY, AUGUST 6, 2002
1:15 P.M.

The Board of Commissioners met in Special Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
LEROY ALSUP
CINDY PRICE
JEFF MORRIS
STEPHANIE RICHARDSON
JEFF TULLIS
REX JERRIM
DAVE HANNA

Others in attendance were:
KARYL BUFFINGTON
LARRY QUIGLEY

A. FY 2003 Municipal Budget Work Session:

- Update on Revisions/Amendments
  - #1 General Fund
  - #2 Library Fund
  - #4 Employee Benefit Fund
  - #9 Bond & Interest Fund
  - #13 Industrial Levy Fund
  - #90 Water & Wastewater Utility Fund
    - City Manager Leroy D. Alsup reviewed with the Commissioners updates and revisions of the general fund budget presented last week.
    - Librarian Karyl Buffington reviewed the proposed budget for the Coffeyville Public Library and answered questions from Commissioners.
- Electric Utility Funds
  - Electric Utility Fund- Fund # 80
  - Electric Depreciation/Improvement Reserve Fund #81
  - Electric Debt Service Fund- Fund #82
  - Electric Bond Reserve Fund- Fund #83
  - Electric Surplus Fund – Fund #84
  - Electric Bond Projects- Fund #89

- Electric Utility Director Jeff Tullis reviewed the proposed budget for the Electric Department and answered questions from Commissioners.

B. Electric Department: Presentation on Electric Department GIS Mapping System.

- Electric Utility Director Jeff Tullis gave a powerpoint presentation on the Electric Department's organizational structure, current and future projects and the GIS Mapping System.

C. Executive Session: Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for discussion on personnel matters of non-elected personnel to reconvene on or before 5:20 p.m.

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

TIME THAT MEETING WAS RECONVENED 5:20 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

D. Adjournment

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 5:20 P.M. TUESDAY, AUGUST 6, 2002.

The next regular commission meeting is scheduled for August 13, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 08/13/02

SPECIAL COMMISSION MEETING MINUTES
THURSDAY, AUGUST 8, 2002
1:15 P.M.

The Board of Commissioners met in Special Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
LEROY ALSUP
CINDY PRICE
JEFF MORRIS
STEPHANIE RICHARDSON
JEFF TULLIS
REX JERRIM

A. FY 2003 Municipal Budget Work Session:

- #37 Hillcrest Golf Course Fund
- #38 Hillcrest Golf Course Depreciation/Improvement Reserve Fund
- #39 Hillcrest Golf Course Debt Service Fund

- #45 Aquatic Center Fund
- #46 Aquatic Center Depreciation/ Improvement Reserve Fund

- #67 Veterans Memorial Stadium

- #36 Airport Fund
- #34 Airport Special Projects Fund

- #60 Midland Theatre Fund
- #61 Midland Theatre Depreciation/Improvement Reserve Fund

- # 28 Memorial Hall Building Fund

- #11 Local Alcohol Liquor Fund

- #14 Youth Activity Center Fund

- #19 Community Development Fund

- #25 Police VIN Fund

- #35 Risk Management Fund

- #50 Capital Equipment Fund
- #51 911 Emergency Telephone System Fund

- #53 One Half Cent Sales Tax Revenue Bond Debt Service Fund
- #54 One Half Cent Sales Tax Revenue Bond Reserve Fund

- #65 Business Development & Training Center (BDTC) Fund
- #66 BDTC Depreciation/Improvement Reserve Fund

B. Executive Session: Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for discussion on personnel matters of non-elected personnel to reconvene on or before 5:00 p.m.

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

TIME THAT MEETING WAS RECONVENED 5:00 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

C. Adjournment

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 5:00 P.M. TUESDAY, AUGUST 8, 2002.

The next regular commission meeting is scheduled for August 13, 2002, at 7:15 p.m.

Cindy Price
Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 08/13/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, AUGUST 13, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE

Those who were absent were:
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
WATER/WASTEWATER DIRECTOR CHUCK SHIVELY
ENGINEERING TECH BRANDON WESTERVELT
ELECTRIC UTILITY DIRECTOR JEFF TULLIS
ARCHITECT/PLANNER DENNIS JACOBS
SPECIAL PROJECTS OFFICER JIM BARNETT

A. INVOCATION.

1. Doctor Wayne Norton, First Baptist Church.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular City Commission Meeting Minutes- Tuesday, July 23, 2002.

ACTION: APPROVED AS PRESENTED

2. Special City Commission Meeting Minutes- Wednesday, July 24, 2002.

ACTION: APPROVED AS PRESENTED

3. Special City Commission Meeting Minutes- Tuesday, July 30, 2002.

ACTION: APPROVED AS PRESENTED

4. Special City Commission Meeting Minutes- Tuesday, August 6, 2002

ACTION: APPROVED AS PRESENTED

5. Special City Commission Meeting Minutes- Thursday, August 8, 2002

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-43 - $2,002,803.76

MOTION: Move to approve Appropriation Ordinance No. AO-02-43 in the total amount of $2,002,803.76 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO WAS ABSENT.

2. Appropriation Ordinance No. AO-02-44 (Strimple) - $418.58

MOTION: Move to approve Appropriation Ordinance No. AO-02-44 in the total amount of $418.58 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO ABSTAINED AND COMMISSIONER TROTTER WHO WAS ABSENT.

3. Appropriation Ordinance No. AO-02-45 (Edwards) - $2,829.86

MOTION: Move to approve Appropriation Ordinance No. AO-02-45 in the total amount of $2,829.86 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER EDWARDS WHO ABSTAINED AND COMMISSIONER TROTTER WHO WAS ABSENT.

4. Appropriation Ordinance No. AO-02-46 (Trotter) - $282.96

MOTION: Move to approve Appropriation Ordinance No. AO-02-46 in the total amount of $282.96 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND

SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO WAS ABSENT.

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

1. NONE.

G. OLD BUSINESS.

1. NONE.

H. NEW BUSINESS.

1. Action by the City Commission to schedule a Public Hearing on the FY 2003 Municipal Budget at 5:30 p.m. on Wednesday, August 21, 2002.

MOTION: Move to schedule a Public Hearing on the FY 2003 Municipal Budget at 5:30 p.m. on Wednesday, August 21, 2002.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO WAS ABSENT.

2. Resolution No. R-02-65: To authorize the execution of a contract with Beachner Construction Company, Inc. in the sum of $876,601.18 for the South Walnut KLINK Project # U.S. 169-63U-1808-01 subject to concurrence from the Kansas Department of Transportation (KDOT).

- Engineering Tech Brandon Westervelt addressed the Commission stating that this contract is for the KDOT KLINK Project on South Walnut from 12th Street to 558 feet south of 15th Street. KDOT will pay 50% of the construction and construction engineering services and the City is required to pay a 50% match on these two project activities plus 100% of the design engineering and non-participating construction costs. Staff recommended the project be awarded to Beachner Construction, the low bidder.

MOTION: Move that Resolution No. R-02-65 be approved for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO WAS ABSENT.

3. Resolution No. R-02-66: To authorize the execution of a contract with Huttinger Roofing in the sum of $45,040.00 tear-off existing roof at the Coffeyville Public

Library and install a new EPDM 60 mil membrane Single Ply Roof System, replace existing cap on the parapet and new curbing on the H.V.A.C. units and roof hatch.

- Engineering Tech Brandon Westervelt addressed the Commission stating that this contract is for the Library roof to tear off the existing roof, replace the existing cap on parapet and install a new roof, new curbing on the HVAC unit and roof hatch.

MOTION: Move that Resolution No. R-02-66 be approved for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO WAS ABSENT.

4. Resolution No. R-02-67: To authorize the execution of Amendment No. 1 for the Substation B Transformer Addition Contract CVE-02-1LM with the Re-Con Company in the sum of $7,194.00.

- Electric Utility Director Jeff Tullis addressed the Commission stating that Allgeier, Martin & Associates recommended this amendment to install two additional 69kV potential transformers on the 69kV bus at Substation B. These additional transformers are needed for proper operation of the protective relays that control operation of the substation breakers.

MOTION: Move that Resolution No. R-02-67 be approved for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO WAS ABSENT.

5. Resolution No. R-02-68: To amend resolution No. R-02-58 to authorize the revision of the Final Quantity Change Order # 1, decreasing the construction contract dated February 11, 2002 with Nowak Construction Co., Inc. for the Pfister Park Phase II Water Improvements Project, by the sum of only $7,722.57 rather than $8,522.57 to correct for the installation of a 1" saddle not accounted for on the original Change Order #1. *(KPWSLF Project No. 2026; Resolution No. R-02-03 – Original Contract).*

- Water/Wastewater Director Chuck Shively addressed the Commission stating that on July 9, 2002, the City Commission approved Change Order Number 1 to the construction contract with Nowak Construction for the Pfister park Phase 2 Water Line Project. The change order, as approved, was for an $8,522.57 decrease in the final contract price. When the change order was sent to the contractor an $800 error was found which, when corrected, changed the total contract price decrease to $7,722.57. This change order will need to be approved by the Kansas Department of Health and Environment.

MOTION: Move that Resolution No. R-02-68 be approved for adoption.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO WAS ABSENT.

6. First Reading Ordinance No. G-02-02: An ordinance amending Ordinance No. G-00-06 (Chapter 26, Utilities), Article II, Electricity, Section 26-24, rules and regulations for utility customers more than three miles outside city limits and under KCC jurisdiction; adopted by reference.

- City Attorney Paul Kritz addressed the Commission stating there are 38 residential and seven commercial customers serviced by City electric who are located outside the three mile radius of the City. This ordinance adopts the new Kansas Corporation Commission cold weather rule and billing standards to apply to those customers in this area.

MOTION: Move that Ordinance No.G-02-02 be approved for First Reading.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO WAS ABSENT.

7. First Reading Ordinance No. S-02-15: An ordinance making a pledge, subject to all existing bond covenants, of certain funds derived primarily from an electric service agreement with Farmland Industries, Inc. for its nitrogen fertilizer facility, to assist Unified School District No. 445, Montgomery County, Kansas (Coffeyville) with the repayment of a portion of the principal of and interest on its General Obligation Bonds, Series 2002, issued in the original principal amount of $19,975,000.

- City Attorney Paul Kritz addressed the Commission stating this formalizes the pledge the governing body made to U.S.D. 445 regarding the surplus electric funds to pay on the school bond project.

MOTION: Move that Ordinance No.S-02-15 be approved for First Reading.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO WAS ABSENT.

8. First Reading Ordinance No. G-02-03: An ordinance amending Chapter 10. Courts, Article II. Municipal Court, Section 10-18. Court Costs, of the Code of Ordinances of the City of Coffeyville, Kansas, and repealing any conflicting ordinances or parts

thereof.

- City Attorney Paul Kritz addressed the Commission stating Bill Cullins has requested that the City consider raising the court costs in municipal court. Currently, court costs are $25 with $7.50 of that going to the State to be placed in a law enforcement training fund. This fee has recently increased $2. With a $25 fee, the existing revenues do not pay the expenses incurred with Municipal Court. This ordinance will increase the fees to $60 which will offset the expenses.

MOTION: Move that Ordinance No.G-02-03 be approved for First Reading.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO WAS ABSENT.

I. EXECUTIVE SESSION(s).

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.
2. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 8:15 p.m.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE - ALL AYE EXCEPT COMMISSIONER TROTTER WHO WAS ABSENT.

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Fire Department-July 2002 Monthly Building Permit Report.
2. Police Department- Monthly Statistics Report & Inoperable Vehicle Summary.
3. Public Library- Minutes of July 3, 2002 Library Board Meeting.
4. Recreation Commission- Minutes of June 12, 2002 Rec Commission Meeting.
5. Senior Citizen Activity Center- Minutes of June 13, 2002 Board Meeting.
6. Montgomery County Action Council- Packet from July 25, 2002 Board Meeting and the MCAC 2001 Audit Report.
7. Coffeyville Regional Medical Center- Various Minutes & Financial Reports.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

L. ADJOURNMENT.

TIME THAT MEETING WAS RECONVENED 8:15 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO WAS ABSENT.

TIME OF ADJOURNMENT: 8:15 P.M. TUESDAY, AUGUST 13, 2002.

The next regular commission meeting is scheduled for August 27, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 08/27/02

SPECIAL COMMISSION MEETING MINUTES
WEDNESDAY, AUGUST 21, 2002
5:30 P.M.

The Board of Commissioners met in Special Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
FINANCE DIRECTOR JEFF MORRIS
CITY TREASURER STEPHANIE RICHARDSON
ELECTRIC UTILITY DIRECTOR JEFF TULLIS
SPECIAL PROJECTS OFFICER JIM BARNETT

A. Public Hearing: FY 2003 Municipal Budget.

- Finance Director Jeff Morris addressed the Commission and reviewed a flowchart that was prepared to help explain the transfer of funds within the City budget.
- Commissioner Don Edwards asked if the budget included any adjustment in wages paid to golf course employees.
- Morris stated that it did not.
- Commissioner Trotter stated that he did not feel the City was going far enough to protect themselves with this budget.
- City Manager Leroy D. Alsup stated that the City is currently studying the cost of services, is in the process of raising court costs and is reviewing all user fees in the City.
- Mayor Baldwin opened the Public Hearing for public comments.
- George Chronister, 512 Willow, addressed the Commission asking how surplus funds in the electric fund are being spent.
- Mayor Baldwin stated that the utilities have reserve funds that are used for maintenance and purchase of equipment.
- City Manager Leroy D. Alsup stated the City Commission committed a little over $7 million for the U.S.D. 445 for the school project so as not to have a mill levy increase to build the school.

- Mayor Baldwin closed the Public Hearing.

B. Resolution No. R-02-69: To approve and to authorize the certification of the FY 2003 City of Coffeyville Municipal Budget with total expenditures of $48,534,725.00 and authorizing $1,542,139.00 to be the amount of Ad Valorem Property Tax to be levied with an estimated mill levy of 39.628 mills.

MOTION: Move that Resolution No. R-02-69 be approved for adoption.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – AYE—MAYOR BALDWIN, COMMISSIONER MILLER AND COMMISSIONER STRIMPLE; NO—COMMISSIONER EDWARDS AND COMMISSIONER TROTTER.

C. Adjournment.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 5:58 P.M. WEDNESDAY, AUGUST 21, 2002.

The next regular commission meeting is scheduled for August 27, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 08/27/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, AUGUST 27, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
POLICE COMMANDER MIKE BROWN
SPECIAL PROJECTS OFFICER JIM BARNETT
PLANNER/ARCHITECT DENNIS JACOBS

A. INVOCATION.

1. Doctor Wayne Norton, First Baptist Church.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular City Commission Meeting Minutes- Tuesday, August 13, 2002.

ACTION: APPROVED AS PRESENTED

2. Special City Commission Meeting Minutes- Wednesday, August 21, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-47 - $2,455,502.56

MOTION: Move to approve Appropriation Ordinance No. AO-02-47 in the total amount of $2,455,502.56 for adoption.

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

2. Appropriation Ordinance No. AO-02-48 (Baldwin) - $6,479.38

MOTION: Move to approve Appropriation Ordinance No. AO-02-48 in the total amount of $6,479.38 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO ABSTAINED.

3. Appropriation Ordinance No. AO-02-49 (Strimple) - $232.45

MOTION: Move to approve Appropriation Ordinance No. AO-02-49 in the total amount of $232.45 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO ABSTAINED.

4. Appropriation Ordinance No. AO-02-50 (Edwards) - $3,097.12

MOTION: Move to approve Appropriation Ordinance No. AO-02-50 in the total amount of $3,097.12 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER EDWARDS WHO ABSTAINED.

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

1. Public Hearing: Regarding the proposed use of the FY 2002 Local Law Enforcement Block Grant (LLEBG Award Number 2002-LB-BX-0561).

- Police Commander Mike Brown addressed the Commission stating the Police Department had applied and been approved for an award from the FY2002 Local Law Enforcement Block Grant through the Bureau of Justice Asistance. They are planning to use this award to help defray costs of patrol cars recently purchased. Holding a public hearing is a requirement of the grant process.

- Mayor Baldwin opened the Public Hearing for public comments.

- Milton Pugh addressed the Commission stating the Police Department should consider using the grant to train officers as it is his opinion the department is placing their officers at risk by not providing adequate training.

- Mayor Baldwin closed the Public Hearing.

G. OLD BUSINESS.

1. Second Reading Ordinance No. G-02-02: An ordinance amending Ordinance No. G-00-06 (Chapter 26, Utilities), Article II, Electricity, Section 26-24, rules and regulations for utility customers more than three miles outside city limits and under KCC jurisdiction; adopted by reference.

   - City Attorney Paul Kritz addressed the Commission stating there is no change in the Ordinance as first presented.

   MOTION: Move that Ordinance No. G-02-02 be passed to Second Reading and approved for adoption.

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

2. Second Reading Ordinance No. S-02-15: An ordinance making a pledge, subject to all existing bond covenants, of certain funds derived primarily from an electric service agreement with Farmland Industries, Inc. for its nitrogen fertilizer facility, to assist Unified School District No. 445, Montgomery County, Kansas (Coffeyville) with the repayment of a portion of the principal of and interest on its General Obligation Bonds, Series 2002, issued in the original principal amount of $19,975,000.

   - City Attorney Paul Kritz addressed the Commission stating there is no change in the Ordinance as first presented.

   MOTION: Move that Ordinance No. S-02-15 be passed to Second Reading and approved for adoption.

   ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO VOTED NO.

3. Second Reading Ordinance No. G-02-03: An ordinance amending Chapter 10. Courts, Article II. Municipal Court, Section 10-18. Court Costs, of the Code of Ordinances of the City of Coffeyville, Kansas, and repealing any conflicting ordinances or parts thereof.

   - City Attorney Paul Kritz addressed the Commission stating there is no change in the Ordinance as first presented.

MOTION: Move that Ordinance No. G-02-03 be passed to Second Reading and approved for adoption.

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

H. NEW BUSINESS.

1. Resolution No. R-02-70: To authorize the execution of the Notification of Grant Award, Local Government Grantee ESG Certification and the Budget Itemization for a FY 2002 Kansas Emergency Shelter Grant Award No. S-02-DC-20-0001-2002-04.

- Special Projects Officer Jim Barnett addressed the Commission stating on April 23, 2002, the Commission approved submitting a FY2002 Emergency Shelter Grant Application to the Kansas Department of Commerce and Housing in the amount of $3,000 for Essential Services and Homeless Prevention with the Salvation Army as subgrantee. The City administers the grant and is not obligated to provide matching funds; this is required of the subgrantee.

MOTION: Move that Resolution No. R-02-70 be approved for adoption.

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

2. First Reading Ordinance No. S-02-16: To rezone Lots 1 through 20 of Block 102, Original Plat to the City of Coffeyville, Montgomery County, Kansas and amending the official zoning map of the City of Coffeyville, Kansas (a/k/a 1500 Block of South Elm- Former Longfellow School).

- Planner/Architect Dennis Jacobs addressed the Commission stating a request had been received by the Planning and Zoning Commission from James Walton, Deanne Walton, Corey Taylor and Shantele Taylor, representing Conquest/Comes & Lynntel, LLC, to rezone property known as 1500 South Elm Street from R-1 Single Family Residential District to C-3 Business District to operate a private physical activities gym. They also requested approval of a Special Exception permit to operate a licensed child day care center in the facility.

  In support of the request is the assumption that the existing buildings have limited alternative use to that which they were originally constructed and may remain empty for some time. This potential for abandonment and its impact on the neighborhood is not in the best interest of the public health, safety and welfare.

  In opposition to the request is the fact that the Comprehensive Development Plan endeavors to separate industrial and commercial uses from residential through a series of lesser and lesser restrictions. This application requests to turn the properties from the next to most restrictive use in a residential zone to the next to least restrictive use of the commercial classifications. While the applicant intends to use the site as a gymnasium and child care services, there is no guarantee that future use of the properties would remain as applied for.

Jacobs also stated there is currently no existing off street parking spaces available on the site; they will be required to provide one parking space for each three faculty members and other full time employees, plus necessary off street area for loading and unloading students. Jacobs stated that based on these factors, the Planning staff gave a negative recommendation to the Planning and Zoning Commission, however, the Planning and Zoning Commission voted 10-0 to approve this request.

- Corey Taylor, representing Conquest, gave a PowerPoint presentation on the proposed use of Longfellow School and some of the programs they were planning to implement. They are planning to have the gym open from 5 to 11 p.m. daily and also have activities for the Senior Citizens. They will not be asking the City for funding which they plan to obtain from grants, fund raisers and donations. Mr. Taylor indicated that some youth do not want to go to the Boys and Girls Club and this would be a place for them to be in a safe environment. They had planned to rent a portion of the building to U.S.D. 445, Tri County and Four County to house a program for troubled youth, however, this project has fallen through.

- Sarah Tongier, 506 Roosevelt, addressed the Commission stating that she was concerned about children violating the curfew if the center was open until 11 p.m. and also questioned how this group felt they could reach children that other programs have not been able to.

- Jim Falkner, 1014 West Third Street, addressed the Commission stating that he is a member of the Planning and Zoning Commission which voted in favor of the request based on the zoning issues. He would recommend the City Commission table the issue and look into the legality of U.S.D. 445 selling the building to a school board member for one dollar. He is also concerned about duplication of activities for young people.

- Dr. Rod Allen, U.S.D. 445 Superintendent, addressed the Commission stating that the School Board has the legal authority to give away, sell or auction any of their properties. They had advertised the building in the paper and the Board was preparing to take the building down when the Taylors stepped forward.

MOTION: Move that Ordinance No. S-02-16 be tabled until the September 10, 2002, Commission meeting.

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

- City Manager Leroy D. Alsup stated that while he has concerns about the proposal, the City recognizes there are six individuals who have expressed a sincere interest in helping the community. We need to put our efforts into figuring out how these entities can work together.

3. Resolution No. R-02-71: To authorize the issuance of a purchase order in the sum of $188,953.00, for property insurance coverage on the Electric Utility System (Building & Contents), and for Boiler And Machinery Insurance Coverage on the power plant, distribution substations and wastewater treatment plant, to be effective September 1, 2002.

   - Finance Director Jeff Morris addressed the Commission stating a renewal quote was received from Chubb Insurance for property and boiler and machinery insurance coverage on the City's power plant. The premium is $188,953, 30% higher than the 2001-02 policy and 92% higher than the 1999-2001 policy. This was the only quote received. Staff recommended a purchase order be issued for this insurance, however, they will continue to search for alternatives.

   MOTION: Move that Resolution No. R-02-71 be approved for adoption.

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

I. EXECUTIVE SESSION(s).

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.

2. Personnel matters of non-elected personnel.

   MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 9:45 p.m.

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

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Finance Department- Retailers Sales Tax Report.
2. Fire Department- July Fire Report.
3. Planning Commission- Minutes of July 2, 2002 Commission Meeting.
4. Cox Communications- August 15, 2002 Correspondence.

5. Coffeyville Regional Medical Center- Miscellaneous Documents.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

L. ADJOURNMENT.

TIME THAT MEETING WAS RECONVENED 9:45 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO WAS ABSENT.

TIME OF ADJOURNMENT: 9:45 P.M. TUESDAY, AUGUST 27, 2002.

The next regular commission meeting is scheduled for September 10, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 09/10/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, SEPTEMBER 10, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:

COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:

CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
SPECIAL PROJECTS OFFICER JIM BARNETT
PLANNER/ARCHITECT DENNIS JACOBS
ENGINEERING TECH BRANDON WESTERVELT
ELECTRIC UTILITY DIRECTOR JEFF TULLIS
WATER/WASTEWATER UTILITY DIRECTOR CHUCK SHIVELY
CITY INSPECTOR JIM HAYES
DIRECTOR OF PLANNING & ENGINEERING JEFF PASSANTINO

A. INVOCATION.

1. Reverend Wayne Martin, Emmanuel Southern Baptist Church.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular City Commission Meeting Minutes- Tuesday, August 27, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-51 - $1,201,221.68

MOTION: Move to approve Appropriation Ordinance No. AO-02-51 in the total amount of $1,201,221.68 for adoption.

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

2. Appropriation Ordinance No. AO-02-52 (Strimple) - $1,262.84

MOTION: Move to approve Appropriation Ordinance No. AO-02-52 in the total amount of $1,262.84 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO ABSTAINED.

3. Appropriation Ordinance No. AO-02-53 (Trotter) - $126.81

MOTION: Move to approve Appropriation Ordinance No. AO-02-53 in the total amount of $126.81 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO ABSTAINED.

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

1. Public Hearing: A public hearing before the Governing Body of the City of Coffeyville, Kansas where the owner, the owner's agent, any lienholders of record and any occupant of said structures identified by lot and block number and street address in the body of Resolution No. R-02-62 may appear and show cause why such structures should not be condemned and ordered repaired or demolished as dangerous or unsafe structures.

- City Inspector Jim Hayes addressed the Commission stating that garages on five of the properties listed on the condemnation list have been removed by the owner, and he is recommending they be deleted from the list

- Mayor Baldwin opened the Public Hearing for public comments.

- Sharon Lee, Wann, Oklahoma, addressed the Commission regarding property at 813 East Eighth Street. She stated there was a fire currently under investigation at this residence and due to the heat and her husband's job, they have not been able to work on the house. She asked what the guidelines were regarding demolition.

- Mayor Baldwin stated that as is customary practice, the Commission leaves all properties on the condemnation list and work must be shown on the property within 30 days with additional work done within each 30 day period afterwards. Property owners are to stay in contact with Jim Hayes regarding their progress.

- Mayor Baldwin closed the Public Hearing.

2. Resolution No. R-02-72: Finding certain structures unsafe, dilapidated, and dangerous and directing such structures to be repaired or removed and the premises made safe and secure as set out in the body of the Resolution.

MOTION: Move that Resolution No. R-02-72 be approved for adoption.

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

3. Public Hearing: To evaluate the performance of the CDBG Sanitary Sewer Replacement Project Grant No. 00-PF-029.

- Water/Wastewater Utility Director Chuck Shively addressed the Commission stating that one of the requirements for close-out of the 00-PF-029 CDBG Grant is that the City hold a Performance Public Hearing to facilitate oral and written public participation and comment as to the project performance. The sewer replacement project was completed as proposed in the grant application and the grant agreement within the original grant timeframe with no grant time extensions. The final costs were $246,632.75 below the original budget.

- Mayor Baldwin opened the Public Hearing for public comment.

- Mayor Baldwin closed the Public Hearing.

4. Public Hearing: A public hearing on a proposed FY 2003 CDBG Grant Application for Fourth Street road and storm drainage improvements.

- Engineering Tech Brandon Westervelt addressed the Commission stating that City staff has prepared a FY2003 Community Development Block Grant (CDBG) Community Improvement Category road and storm drainage improvement grant application for submittal to the Kansas Department of Commerce and Housing. This project would consist of full depth replacement of Fourth Street from Willow Street to Buckeye including new curb and gutter along with storm drainage improvements. A door-to-door survey of the entire project area was performed for the Engineering Department by the Fire Department with an 86.82% response rate. Of those responding 54.24% of the people and 56.78% of the families were categorized as low-to-moderate income. The requirements to participate in KDOC&H CDBG grants is a minimum 80% response rate with a minimum of 51% of persons and families being falling into the low-to-moderate income range.

The engineer's preliminary estimate for the project is $800,500 which includes $733,000 for construction and contingencies; $29,500 for design engineering and $38,000 for construction engineering and inspection. The application is for the maximum available grant of $400,000 which would leave the City portion at $400,500. There are four resolutions that need to be adopted in order for the City to submit this grant.

- Mayor Baldwin opened the Public Hearing for public comment.
- Mayor Baldwin closed the Public Hearing.

5. Resolution No. R-02-73: A resolution assuring and certifying to the Kansas Department of Commerce and Housing that the City of Coffeyville, Kansas possesses legal authority to submit a FY 2003 Community Development Block Grant (CDBG) Community Improvement Category Application, to receive and expend said grant funds, and authorizing the Mayor and City Clerk to act as the official representatives of the City as grantee.

   MOTION: Move that Resolution No. R-02-73 be approved for adoption.

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

6. Resolution No. R-02-74: A resolution regarding the commitment of funds from the Cities Capital Improvement Fund for a proposed FY 2003 Community Development Block Grant (CDBG) Community Improvement Category Application.

   MOTION: Move that Resolution No. R-02-74 be approved for adoption.

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

7. Resolution No. R-02-75: A resolution assuring the Kansas Department of Commerce and Housing that local funds will be continuously provided for the future maintenance of the City's Street and Stormwater Systems as delineated in the FY 2001 Community Development Block Grant (CDBG) Community Improvement Category Application.

   MOTION: Move that Resolution No. R-02-75 be approved for adoption.

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

8. Resolution No. R-02-76: A resolution officially adopting a Residential Anti-Displacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Development Act of 1974, as amended.

MOTION: Move that Resolution No. R-02-76 be approved for adoption.

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

G. OLD BUSINESS.

1. First Reading Ordinance No. S-02-16: To rezone Lots 1 through 20 of Block 102, Original Plat to the City of Coffeyville, Montgomery County, Kansas and amending the official zoning map of the City of Coffeyville, Kansas (a/k/a 1500 Block of South Elm- Former Longfellow School).

MOTION: Move that Ordinance No. S-02-16 be approved for First Reading.

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

H. NEW BUSINESS.

1. Resolution No. R-02-77: To authorize the execution of an amended and re-stated Interconnection Agreement between the City of Coffeyville and the Public Service Company of Oklahoma (PSO).

- Electric Utility Director Jeff Tullis addressed the Commission stating this is basically a housekeeping item and the last contract to be put into place prior to the City purchasing electrical power from the Grand River Dam Authority.

MOTION: Move that Resolution No. R-02-77 be approved for adoption.

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

2. Resolution No. R-02-78: To authorize the execution of a Technical Support Program (TSP) Agreement between the City of Coffeyville and Siemens Westinghouse Technical Services, Inc. for the provision of preventative maintenance services to the electric utility department.

- Electric Utility Director Jeff Tullis addressed the Commission stating the municipal electric utility maintains five distribution/transmission substations and a generating plant valued in excess of $55 million. Each of these facilities contain a certain amount of electrical apparatus or machinery that should receive preventative maintenance on a regularly scheduled basis to measure the overall condition of the equipment and hopefully detect and repair problems before they cause failures resulting in unplanned outages. Some of the preventative maintenance is performed by electric utility staff but some must be done by a contractor due to the expertise and specialized test equipment required. Siemens Westinghouse field personnel provide much of the preventative maintenance on substation/plant equipment they cannot do for themselves.

In an effort to show our insurance provider, Chubb Insurance Company, due diligence in maintenance planning on behalf of the municipal utilities and to also allocate rather than compete for time of the Siemens field personnel, the Cities of Coffeyville, Chanute and Winfield, which all have municipal electric utilities, along with Siemens staff have put together a five-year preventative maintenance plan for each of the cities.

- Robin Tennison, Senior Sales Representative from Siemens Westinghouse Technical Services, Inc., Wichita Field Office, address the Commission stating his company places an emphasis on maintaining electrical equipment. They have been working with Coffeyville, Chanute and Winfield to develop a five-year plan. All three are insured by Chubb Insurance. In addition to the maintenance, his company will make a list of spare inventory in each plant which can then be shared with other utilities in the event of an emergency.

MOTION: Move that Resolution No. R-02-78 be approved for adoption.

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

3. Discussion and Action by the Board of Commissioners to issue a permit to the Downtown Plaza Center Association of the Coffeyville Area Chamber of Commerce for the Annual Dalton Defenders' Day Event to be held on Friday, October 4th and Saturday, October 5th, 2002 and further to authorize the use of Veterans Memorial Park (previously referred to as the Veterans Memorial Hall Lot) on Saturday, October 5, 2002 for a National Guard static display.

MOTION: Move to issue a permit to the Downtown Plaza Center Association of the Coffeyville Area Chamber of Commerce for Dalton Defenders Days to be held on Friday, October 4 and Saturday, October 5, 2002; subject to the receipt of an appropriate certificate of insurance and approval by City Staff of the locations of specific events utilizing public property or rights-of-way as the details are submitted for review and to authorize the use of Veterans Memorial Park on Saturday, October 5, 2002, for a National Guard static display.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS

AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE.

I. EXECUTIVE SESSION(s).

1. NONE.

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Finance Department- Retailers Sales and Comp Use Tax Revenue Report.
2. Planning & Engineering Department- Certificate of Completion of the CDBG No. 98-CP-006 Comprehensive Grant Project.
3. Fire Department- August Fire report & August Building Permit report.
4. Public Library- Minutes of August 1, 2002 Library Board of Trustees Meeting.
5. Senior Citizens Activity Center- Minutes of July 11, 2002 Board Meeting.
6. Recreation Commission- Minutes of July 10 & July 18, 2002 Recreation Commission Meetings.
7. Montgomery County Action Council- Thank you letter from MCAC's Legislative Golf Tournament.
8. League of Kansas Municipalities (LKM)- LKM Governing Body Bylaw changes being recommended.
9. Cox Communications- August 29, 2002 correspondence on price adjustments.
10. Atmos Energy- September 3, 2002 correspondence.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

L. ADJOURNMENT.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 8:05 P.M. TUESDAY, SEPTEMBER 10, 2002.

The next regular commission meeting is scheduled for September 24, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 09/24/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, SEPTEMBER 24, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
SPECIAL PROJECTS OFFICER JIM BARNETT
PLANNER/ARCHITECT DENNIS JACOBS

A. INVOCATION.

1. Dr. Wayne Norton, First Baptist Church.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular City Commission Meeting Minutes- Tuesday, September 10, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-54 - $2,717,234.35

MOTION: Move to approve Appropriation Ordinance No. AO-02-54 in the total amount of $2,717,234.35 for adoption.

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

2. Appropriation Ordinance No. AO-02-55 (Baldwin) - $4,598.19

MOTION: Move to approve Appropriation Ordinance No. AO-02-55 in the total amount of $4,598.19 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO ABSTAINED.

3. Appropriation Ordinance No. AO-02-56 (Strimple) - $49.78

MOTION: Move to approve Appropriation Ordinance No. AO-02-56 in the total amount of $49.78 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO ABSTAINED.

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

1. NONE.

G. OLD BUSINESS.

1. Second Reading Ordinance No. S-02-16: To rezone Lots 1 through 20 of Block 102, Original Plat to the City of Coffeyville, Montgomery County, Kansas and amending the official zoning map of the City of Coffeyville, Kansas (a/k/a 1500 Block of South Elm- Former Longfellow School).

- City Planner/Architect Dennis Jacobs addressed the Commission stating there were no changes from the first reading of this ordinance.

MOTION: Move that Ordinance No. S-02-16 be passed to Second Reading and approved for adoption.

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

H. NEW BUSINESS.

1. Resolution No. R-02-79: A resolution assuring and certifying to the Kansas Department of Commerce and Housing that the City of Coffeyville, Kansas possesses legal authority to submit a FY 2003 Tourism Attraction Development Grant Program Application, to receive and expend said grant funds, and authorizing the Mayor and City Clerk to act as the official representatives of the City as grantee.

- In the absence of Jeff Passantino, City Clerk Cindy Price addressed the Commission stating the Kansas Department of Commerce and Housing accepts applications annually for Tourism Attraction Development Grants. The purpose of these grants is to assist public and private and not-for-profit corporations with tourism development. Eligible activities for this grant include infrastructure development. The City and Coffeyville Historical Society have been working closely to develop a plan to relocate the Museum in the Bank of America building recently purchased by the City. In the grant application, the bank is being referred to as the First National Bank, the original name of the bank. Estimated costs for improvements and relocation costs are $156,000. The maximum amount of funding available through this grant is $120,000, and the grant would be a 60/40 match with the City responsible for 60%. Approving this resolution gives the City the authority to submit the grant application to the Kansas Department of Commerce and Housing.

MOTION: Move that Resolution No. R-02-79 be approved for adoption.

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

2. Resolution No. R-02-80: To authorize the execution of a FY 2002 "ESG Subgrantee Agreement" with the Salvation Army of Coffeyville, Kansas, allocating the sum of $3,000 from the City's FY 2002 Emergency Shelter Grant (ESG) Award (Grant No. S-02-DC-20-0001-2002-04).

- Special Projects Officer Jim Barnett addressed the Commission stating this is the third and final step in the Emergency Shelter Grant Award for the Salvation Army. This resolution authorizes the City to execute the 2002 ESG Subgrantee Agreement with the Salvation Army.

MOTION: Move that Resolution No. R-02-80 be approved for adoption.

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

I. EXECUTIVE SESSION(s).

1. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for discussion with an attorney on matters of non-elected personnel to reconvene on or before 8:30 p.m.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL

VOTE - ALL AYE.

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Finance Department-Property Tax Receipts. And Golf Course report.
2. Public Service Department- Unsafe Structure demolition report.
3. Coffeyville Recreation Commission- August 14 and September 5, 2002 Minutes.
4. Coffeyville Historical Society- Letter of appreciation.
5. Coffeyville Regional Medical Center- Meeting Notice.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

- Earl Howard, 403 West Ninth Street, addressed the Commission to thank the City crews for cleaning up the lots at 1002 and 1004 East Sixth Street.

L. ADJOURNMENT.

TIME THAT MEETING WAS RECONVENED: 8:20 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO WAS ABSENT.

TIME OF ADJOURNMENT: 8:20 P.M. TUESDAY, SEPTEMBER 24, 2002.

The next regular commission meeting is scheduled for October 8, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 10/08/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, OCTOBER 8, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER LARRY TROTTER

Those absent were:
COMMISSIONER DEAN STRIMPLE

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
SPECIAL PROJECTS OFFICER JIM BARNETT

A. INVOCATION.

1. Reverend Mark Wilson, First Church of God Church.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular City Commission Meeting Minutes- Tuesday, September 24, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-57 - $ 593,138.27

MOTION: Move to approve Appropriation Ordinance No. AO-02-57 in the total amount of $593,138.27 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER TROTTER. ROLL

CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO WAS ABSENT.

2. Appropriation Ordinance No. AO-02-58 (Strimple) - $596.31

MOTION: Move to approve Appropriation Ordinance No. AO-02-58 in the total amount of $596.31 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO WAS ABSENT.

3. Appropriation Ordinance No. AO-02-59 (Edwards) - $3,064.19

MOTION: Move to approve Appropriation Ordinance No. AO-02-59 in the total amount of $3,064.19 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY COMMISSIONER TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER EDWARDS WHO ABSTAINED AND COMMISSIONER STRIMPLE WHO WAS ABSENT.

4. Appropriation Ordinance No. AO-02-60 (Trotter) - $201.96

MOTION: Move to approve Appropriation Ordinance No. AO-02-60 in the total amount of $201.96 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO ABSTAINED AND COMMISSIONER STRIMPLE WHO WAS ABSENT.

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

1. NONE.

G. OLD BUSINESS.

1. NONE.

H. NEW BUSINESS.

1. FY 2001 City of Coffeyville Municipal Audit: Presentation by auditor, review and discussion by the City Commission and action by the City Commission to accept the FY 2001 City of Coffeyville Municipal Audit as presented.

- Phil Jarred with the accounting firm Diehl, Banwart, Bolton, Jarred & Bledsoe, Chartered, addressed the Commission stating his firm had conducted the City's audit for the FY 2001. All opinions regarding the audit were clean and no non-compliance issues were found.

MOTION: Move to accept the FY 2001 City of Coffeyville Municipal Audit as presented.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO WAS ABSENT.

2. Resolution No. R-02-81: To authorize the execution of a "Quitclam Deed" from the City of Coffeyville, Kansas, to Habitat for Humanity of Montgomery County, Inc., for the donation of certain real estate in the City of Coffeyville, Montgomery County, Kansas for purposes of constructing a residential dwelling.

- Special Projects Officer Jim Barnett addressed the Commission stating that Habitat for Humanity of Montgomery County began with a group of individuals getting together approximately five years ago with the idea to build homes in the Montgomery County communities. The first project house was completed this year in Independence. Through Habitat qualified families are given the opportunity to own their own home. By providing sweat equity the price of a modest new home is reduced to the cost of materials for the qualifying family, making the payments more affordable. The selected family and volunteers working Saturdays construct the home with the Habitat organization fronting the cost of materials. As the monies are repaid, they are revolved into another project home.

  During August of 2001, representatives of Habitat met with city staff to discuss home sites in Coffeyville and a suitable property was selected. In exchange for not transferring the title until Habitat was ready for the groundbreaking, volunteers kept the property mowed through the 2002 season.

- Max Williams, a volunteer with the Habitat For Humanity project, addressed the Commission stating that he serves on the site committee in addition to the Habitat Board. He feels the lot at Ninth and Sycamore is an ideal lot for their first home in Coffeyville. Through a series of interviews, a family has been selected in Coffeyville and as soon as all financing is completed, they are ready to break ground on a home at 315 East Ninth Street.

MOTION: Move that R-02-81 be approved for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO WAS ABSENT.

3. Discussion and action by the Board of Commissioners to approve a 2002 cereal malt beverage license for Lauri A. Hicks d/b/a Fourteenth Street Tavern at 821 W. 14th Street, Coffeyville, KS.

- City Clerk, Cindy Price, addressed the Commission stating everything had been completed properly for this cereal malt beverage license.

MOTION: Move to issue a 2002 cereal malt beverage license for Lauri A. Hicks d/b/a/ Fourteenth Street Tavern at 821 W. 14th Street, Coffeyville, Kansas.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO WAS ABSENT.

4. Resolution No. R-02-82: A resolution requesting the Public Building Commission of the City of Coffeyville, Kansas to issue revenue bonds in an amount not to exceed $16,000,000 for the purpose of paying all or a portion of the costs of improving the city's acute care hospital facilities in the City of Coffeyville, Kansas.

- City Manager, Leroy D. Alsup, addressed the Commission stating this is a formality to issue the bonds for the hospital improvements. Several more documents will be presented to the Commission for their approval in October and November.

MOTION: Move that Resolution No. R-02-82 be approved for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO WAS ABSENT.

I. EXECUTIVE SESSION(s).

1. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for personnel matters of non-elected personnel to reconvene on or before 9 p.m.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO WAS ABSENT.

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Finance Department- Sales & Comp Use tax reports.
2. Fire Department- September 2002 Building Permit Report.
3. Water & Wastewater Utility- September 30, 2002 Correspondence on KDOC&H's Final Monitoring of CDBG Grant # 00-PF-029.
4. Administration- IEDC news release on International Economic Development Award for Partnership presented to the City of Coffeyville and Farmland Industries.
5. Coffeyville Regional Medical Center- Memo on October 16, 2002 joint City Commission, Public Building Commission and CRMC Board of Directors Meeting.
6. Wichita Eagle News Article- September 28, 2002 Article on Veterans Memorial Stadium.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

L. ADJOURNMENT.

TIME THAT MEETING WAS RECONVENED 8:40P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO WAS ABSENT.

TIME OF ADJOURNMENT: 8:40 P.M. TUESDAY, OCTOBER 8, 2002.

The next regular commission meeting is scheduled for October 22, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 10/22/02

SPECIAL COMMISSION MEETING MINUTES
WEDNESDAY, OCTOBER 16, 2002
12:00 P.M.
COFFEYVILLE REGIONAL MEDICAL CENTER

The Board of Commissioners met in Special Session in conjunction with the Coffeyville Regional Medical Center, Inc., Board of Directors; CRMC Board of Trustees and the Coffeyville Public Building Commission.

Those commissioners in attendance were:
Mayor David Baldwin
Commissioner Don Edwards
Commissioner Jim Miller
Commissioner Larry Trotter

Those commissioners absent were:
Commissioner Dean Strimple

City Staff in attendance were:
City Manager Leroy D. Alsup
City Clerk Cindy Price
City Attorney Paul Kritz
Finance Director Jeff Morris
Treasurer Stephanie Richardson

Mayor Baldwin called the meeting of the Coffeyville City Commission to order. The meeting was turned over to Jerry Marquette, CEO for Coffeyville Regional Medical Center who introduced Sam Frey, architect. Mr. Frey reviewed plans and showed drawings of the CRMC healthcare facility improvements.

1. Resolution No. R-02-83: To document pursuant to Article IV of the July 17, 2002 Cooperation Agreement between the City of Coffeyville, Coffeyville Regional Medical Center, Inc., the Coffeyville Regional Medical Center Board of Trustees and the Public Building Commission of the City of Coffeyville; the City of Coffeyville governing body's approval of the final plans, specifications and bid documents for the Healthcare Facility Improvements to be funded by the Series 2002 Public Building Commission Hospital Revenue Bond Issue.

   - City Manager Leroy D. Alsup stated the City Commission was approving this resolution based on the floor plans as presented today unless City Staff has questions pertaining to particular areas dealing with code enforcement.

   MOTION: Move that R-02-83 be approved for adoption.

   ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO WAS ABSENT.

2. Adjournment.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO WAS ABSENT.

TIME OF ADJOURNMENT: 1:20 P.M. WEDNESDAY, OCTOBER 16, 2002.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 10/02/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, OCTOBER 22, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
FINANCE DIRECTOR JEFF MORRIS
WATER/WASTEWATER UTILITIES DIRECTOR CHUCK SHIVELY
ELECTRIC UTILITIES DIRECTOR JEFF TULLIS
DIRECTOR OF PLANNING & ENGINEERING JEFF PASSANTINO
SPECIAL PROJECTS OFFICER JIM BARNETT

A. INVOCATION.

1. Verna Sanders, St. James United Methodist Church.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular City Commission Meeting Minutes- Tuesday, October 8, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-61 - $3,467,658.85

MOTION: Move to approve Appropriation Ordinance No. AO-02-61 in the total amount of $3,467,658.85 for adoption.

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

2. Appropriation Ordinance No. AO-02-62 (Baldwin) - $5,012.79

MOTION: Move to approve Appropriation Ordinance No. AO-02-62 in the total amount of $5,012.79 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO ABSTAINED.

3. Appropriation Ordinance No. AO-02-63 (Strimple) - $ 48.36

MOTION: Move to approve Appropriation Ordinance No. AO-02-63 in the total amount of $48.36 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO ABSTAINED.

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

1. "Annual Poppy Day" Proclamation: To proclaim Saturday, November 9, 2002 as "Annual Poppy Day" in Coffeyville for the Veterans of Foreign Wars (VFW).

- Commissioner Jim Miller read and presented the Poppy Day proclamation to Sharon Coons, Buddy Poppy Chairman of the VFW Auxiliary.

G. OLD BUSINESS.

1. NONE.

H. NEW BUSINESS.

1. Resolution No. R-02-84: To authorize the execution of an audit engagement letter with Diehl, Banwart, Bolton, Jarred & Bledsoe, Chartered, in the sum of $8,750 to complete a FY 2002 audit for the City of Coffeyville.

- Finance Director Jeff Morris addressed the Commission stating that in FY 2000 City staff requested and received an audit proposal for FY 2000, FY 2001 and FY 2002 from Diehl, Banwart, Bolton, Jarred & Bledsoe, Chtd., to prepare the City's audit. This three-year proposal requires annual confirmation by the City Commission; staff recommended that year three of the three-year engagement letter with the accountant firm be approved.

MOTION: Move that Resolution No. R-02-84 be approved for adoption.

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

2. Resolution No. R-02-85: to authorize the execution of Amendment No. 2 to the February 13, 2001 Engineering Services Agreement with Turner Consulting (Original Contract - Resolution No. R-01-14; Amendment No. 1 – Resolution No. R-01-61) to add design and construction engineering services for the Industrial Park Sanitary Sewer Replacement Project for an increased amount not to exceed $53,000.00, as specified in the amendment, contingent upon Kansas Department of Health & Environment approval.

- Water/Wastewater Utilities Director Chuck Shively addressed the Commission stating the wastewater collection system at the Industrial Park was constructed during World War II and experiences significant infiltration and inflow (I/I) during wet weather. The sources of the I/I include both the age and condition of the pipe, as well as numerous abandoned service taps for army buildings that no longer exist plus leaky manholes. The new Industrial Park Pump Station has trouble keeping up with the wastewater flow during wet weather due to the amount of I/I into the system. During wet weather events the pump station has been known to operate with both pumps running full speed for up to three days non-stop in order to catch up with the flow. Due to these problems, it was budgeted for replacement and/or rehabilitation of the Industrial Park collection system lines and manholes. The source of funding for this project would be the remaining funds from the three Kansas Water Pollution Control Revolving Loan Fund loans from the Kansas Department of Health and Environment (KDHE). Use of the remaining funds for this project has been approved by KDHE.

MOTION: Move that Resolution No. R-02-85 be approved for adoption.

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

3. Resolution No. R-02-86: To authorize the execution of a construction contract with Middlecreek Mining Corp. in the sum of $617,295.00 for the FY2001 CDBG Grant No. 01-PF-128 Sanitary Sewer Rehabilitation Project, subject to Kansas Department of Health & Environment (KDHE) and Kansas Department of Commerce & Housing (KDOC&H) approval and contingent upon submittal of all required documentation by the Middlecreek Mining Corp.

- Water/Wastewater Utilities Director Chuck Shively addressed the Commission stating that on October 8, 2002, bids were opened for a construction project which consists of replacement of sanitary sewer lines, manholes and related street and alley work in an area bounded by Buckeye Street on the west, Grant Street on the east, 1st Street on the north and 4th Street on the south, except the area from 2nd Street to 4th Street between Cherokee Street and Washita Street which was replaced in the 2000 CDBG sanitary sewer project. This project is the next step in the City's ongoing sanitary sewer infiltration and inflow reduction efforts as mandated by the Kansas Department of Health and Environment. The low bidder was Middlecreek Mining; City staff recommended awarding the contract to them upon submittal of all required documentation.

MOTION: Move that Resolution No. R-02-86 be approved for adoption.

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

4. Resolution No. R-02-87: To authorize the issuance of an Asphalt Paving Contract with Bellco Materials, Inc. in the sum of up to $99,400 for paving & overlay projects on North Cline, 12th Street and Service Roads in Fairview Cemetery.

- Director of Planning & Engineering Jeff Passantino addressed the Commission stating the City is planning three overlay and paving projects. The first is for Fairview Cemetery; the second for North Cline Road from Woodland to the city limits plus some repairs between Woodland and Fourth; and the third is on 12th Street from Vine to 100' east of Camden. The total for these projects is $98,420 with the funding for the cemetery portion coming from the Memorial Hall insurance proceeds and the Cline Road and 12th Street paving from capital improvements. Bellco Materials will do the projects and it is anticipated they will be complete in mid November.

MOTION: Move that Resolution No. R-02-87 be approved for adoption.

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

I. EXECUTIVE SESSION(s).

1. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for personnel matters of non-elected personnel to reconvene on or before 8:45 p.m.

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

TIME THAT MEETING WAS RECONVENED 8:45 P.M. MAYOR BALDWIN

STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to recess to executive session for personnel matters of non-elected personnel to reconvene on or before 10:30 p.m.

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

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Finance Department-.Golf Course Financial Report.
2. Fire Department- September Fire Report.
3. Police Department- Inoperable Vehicle Report.
4. Planning Commission- Minutes of August 6, 2002 Planning Commission Meeting.
5. Recreation Commission- Minutes of September 11, 2002 Rec Commission Meeting.
6. Coffeyville Regional Medical Center- Notice of Hospital Board Meetings
7. Montgomery County Action Council- Various Documents.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

- Damon Willbern, 1507 West Fourth Street, addressed the Commission stating he was concerned with the amount of parking on the median and grassy areas around Veterans Memorial Stadium during events.

L. ADJOURNMENT.

TIME THAT MEETING WAS RECONVENED 10:30 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 10:30 P.M. TUESDAY, OCTOBER 22, 2002.

The next regular commission meeting is scheduled for November 12, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

approved: 11/12/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, NOVEMBER 12, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
FINANCE DIRECTOR JEFF MORRIS
DIRECTOR OF PLANNING & ENGINEERING JEFF PASSANTINO
SPECIAL PROJECTS OFFICER JIM BARNETT

A. INVOCATION.

1. Reverend Marcy A. Campbell, Skypilot Counseling Services.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Special City Commission Meeting Minutes- Wednesday, October 16, 2002.

ACTION: APPROVED AS PRESENTED

2. Regular City Commission Meeting Minutes- Tuesday, October 22, 2002.

ACTION: APPROVED AS PRESENTED

3. Special City Commission Meeting Minutes- Tuesday, October 29, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-64 - $ 890,333.54

MOTION: Move to approve Appropriation Ordinance No. AO-02-64 in the total amount of $890,333.54 for adoption.

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

2. Appropriation Ordinance No. AO-02-65 (Strimple) - $5,955.00

MOTION: Move to approve Appropriation Ordinance No. AO-02-65 in the total amount of $5,955.00 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO ABSTAINED.

3. Appropriation Ordinance No. AO-02-66 (Edwards) - $ 2,899.33

MOTION: Move to approve Appropriation Ordinance No. AO-02-66 in the total amount of $2,899.33 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER EDWARDS WHO ABSTAINED.

4. Appropriation Ordinance No. AO-02-67 (Trotter) - $ 1,116.96

MOTION: Move to approve Appropriation Ordinance No. AO-02-67 in the total amount of $1,116.96 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO ABSTAINED.

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

1. Coffeyville Chamber of Commerce: Chamber Quarterly Report.

- Karen Strimple, Executive Director of the Coffeyville Area Chamber of Commerce gave a quarterly update on activities of the Chamber and reviewed the Chamber's Program of Work. Strimple reported the Chamber has reorganized their staff and plans to combine the position of Tourism Director and administrative assistance into one full-time position. They hope to have this position filled by the end of the year.

G. OLD BUSINESS.

1. NONE.

H. NEW BUSINESS.

1. Resolution No. R-02-88: To authorize the execution of an agreement with Labette County Rural Water District No. 6 regarding their continued water distribution service to the Royal Pontiac site annexed by the City of Coffeyville.

- City Attorney Paul Kritz addressed the Commission stating that state statute requires a City which annexes land serviced by a rural water district to sign an agreement whereby the rural water district retains all of their water transmission facilities.

MOTION: Move that Resolution No. R-02-88 be approved for adoption.

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

2. Resolution No. R-02-89: To authorize the execution of an Agreement to Sell Real Estate and "Quitclaim Deed" from the City of Coffeyville, Kansas, to Larry R. Quigley for the sale of certain real estate located at 903 E 5th Street in the City of Coffeyville, Montgomery County, Kansas.

- Special Projects Officer Jim Barnett addressed the Commission stating that the City acquired property located at 903 East Fifth during the process of acquiring easements along Sunflower for the storm water improvement project. Larry Quigley has approached the City with an interest in acquiring the property as it is adjoining property he owns.

MOTION: Move that Resolution No. R-02-89 be approved for adoption.

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

3. Resolution No. R-02-90: To authorize the execution of the Kansas Department of Transportation's (KDOT) Change in Plans and Construction forms for Change Order No. 1 ($266,130.00 increase) & Change Order No. 2 ($9,381.00 increase) to the KDOT construction contract with Beachner Construction Company, Inc. for the us-166 (11th Street) & Buckeye project, increasing the Beachner Construction Company contract price by the sum of $275,511.00 and documenting the governing body's agreement to said changes. (KDOT Project # 166-63 U-1841-01; Original Resolution No. R-02-35)

- Director of Planning & Engineering Jeff Passantino addressed the Commission stating that the change orders being presented are for the Kansas Department of Transportation construction project at 11th and Buckeye. These change orders allowed for removal of the existing road and full depth replacement. When the project was planned it was to be a grinding and overlay project only, however, once the project was underway, it was determined that more extensive work was needed.

MOTION: Move that Resolution No. R-02-90 be approved for adoption.

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

4. Coffeyville Recreation Commission: Discussion and action by the Board of Commissioners to accept the resignation of John McDevitt and to appoint an individual to the Coffeyville Recreation Commission to fill the unexpired term through March 10, 2005.

MOTION: Move to accept the resignation of John McDevitt from the Coffeyville Recreation Commission and to appoint Jeff Passantino, effective immediately, to fill the unexpired term through March 10, 2005.

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

5. Resolution No. R-02-91: To authorize the execution of an amendment to the FY 2001/2002 Professional Services Agreement with the Coffeyville Area Chamber of Commerce to extend the term of the agreement to May 31, 2003 and to increase the services fee to be paid to the Chamber an additional $4,166.00.

- City Manager Leroy D. Alsup addressed the Commission stating that the Chamber of Commerce operates on a different fiscal year than the City. This agreement will coincide with the Chamber's fiscal year. The Chamber is an active partner with the City working with economic development and special events.

MOTION: Move that Resolution No. R-02-91 be approved for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT FOR COMMISSIONER STRIMPLE WHO ABSTAINED.

6. Resolution No. R-02-92: To authorize the execution of a Lease Agreement with Joint

Recreation Commission of Unified School District No. 445 and the City of Coffeyville concerning the lease of City owned Recreation Facilities as identified in the agreement.

- City Manager Leroy D. Alsup addressed the Commission stating that this lease agreement with the Recreation Commission contained few changes from the previous lease, however, it allows the City to be more involved in the scheduling of the city-owned facilities.

MOTION: Move that Resolution No. R-02-92 be approved for adoption.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT FOR COMMISSIONER EDWARDS WHO VOTED NO.

7. Resolution No. R-02-93: A resolution to confirm the governing body of the City's approval and concurrence with the amendment to the by-laws of the Boys and Girls Club of Coffeyville, Inc. changing the make-up of the Board of Directors of the Club from the City of Coffeyville Board of Commissioners to the Coffeyville Recreation Commission and the transfer of the operation and ownership of the Boys and Girls Club of Coffeyville, Inc. to the Coffeyville Recreation Commission.

- City Manager Leroy D. Alsup addressed the Commission stating that a special meeting is scheduled for 5:30 p.m. on Wednesday, November 20 to amend the by-laws and to authorize execution of a transfer agreement with the Coffeyville Recreation Commission to make the Recreation Commission the operators and owners of the Boys and Girls Club. The City took over operation of the Boys and Girls Club when the organization was having financial difficulties. Since many of the programs are recreational, by having them under the umbrella of the Recreation Commission, there will be a better coordination of services and less duplication of programs.

MOTION: Move that Resolution No. R-02-93 be approved for adoption.

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

I. EXECUTIVE SESSION(s).

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.
2. Personnel matters of non-elected personnel.

MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 9:30 p.m.

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

TIME THAT MEETING WAS RECONVENED 9:30 P.M. MAYOR BALDWIN STATED THERE WAS NO REPORT OR ANY ACTION TO BE TAKEN AS A RESULT OF THE EXECUTIVE MEETING

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Finance Department-
   - Property Tax Receipts Report
   - Retailers Sales & Comp Use Tax Revenue Report
   - Appreciation letter from L & S Well Service
2. City Clerk- October 31, 2002 Notice of Board Openings
3. Fire Department- October, 2002 Monthly Building Permit Report
4. Police Department- Monthly Statistics Report & Inoperable Vehicle Report.
5. Water/Wastewater Department- Certificate of Completion for CDBG No. 00-PF-029
6. Planning & Engineering Department- Minutes of October 15, 2002 Planning Commission Meeting & October 29, 2002 Planning Staff Report.
7. Cox Communication- October 25, 2002 Correspondence.
8. Coffeyville regional Medical Center- Various Documents.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

L. ADJOURNMENT.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 9:30 P.M. TUESDAY, OCTOBER 22, 2002.

The next regular commission meeting is scheduled for November 26, 2002, at 7:15 p.m.

Cindy Price

approved: 11/26/02

SPECIAL COMMISSION MEETING MINUTES
WEDNESDAY, NOVEMBER 20, 2002
5:30 P.M.

The Board of Commissioners met in Special Session with Mayor David Baldwin presiding.

Those commissioners in attendance were:
Commissioner Don Edwards
Commissioner Jim Miller
Commissioner Dean Strimple
Commissioner Larry Trotter

City Staff in attendance were:
City Manager Leroy D. Alsup
City Clerk Cindy Price
City Attorney Paul Kritz
Finance Director Jeff Morris
Electric Utility Director Jeff Tullis
Water/Wastewater Utility Director Chuck Shively
Electric Utility Deputy Director Rex Jerrim
Director of Planning & Engineering Jeff Passantino
Special Projects Officer Jim Barnett

1. 2002 Electric Cost of Service & Rate Study: Preliminary Report on FY 2002 Electric Cost of Service & Rate Study by Western Consulting, Inc.

   - Mike Towne, President of Western Consulting, Inc., reviewed the Electric Cost of Service and Rate Study that Western Consulting is currently working on.

   - City Manager Leroy D. Alsup addressed the Commission stating the important thing to remember in this study on electric rates is that a price for natural gas was assumed to be the price that gas was purchased in 2002. Any fluctuation in the gas prices would obviously adjust the rates for electric. In addition, the study was done using only the City's native electric load. The City will now request that Western Consulting finish the report and present Commissioners with a final document to review.

2. First Reading Ordinance No. G-02-04: An ordinance amending Chapter 26. Utilities, Article III. Water, Section 26-40. Rates for Water; Additional Meter and Service Installations at One Address, Paragraph (a), and Section 26-41. Minimum Charge, and Article IV. Use of Public and Private Sewers and Drains, Part I. General Sewer Use, Section 26-77. General Sewer Use Requirements. Paragraph A. Prohibited Discharge Standards. and Part IV. Fees and Miscellaneous Provisions, Sections 26-105. Sewer User Charge, paragraphs D., E., and F. of the Coffeyville Code of Ordinances, City of Coffeyville, Kansas and repealing any and all ordinances or parts of ordinances in conflict herewith.

   - Water/Wastewater Utility Director Chuck Shively addressed the Commission stating that during budget work sessions, the Commission had discussed amending the per 1,000 gallon rates for water along with the monthly minimum charge. This ordinance will amend four sections. Section 1 would amend the per 1,000 gallon rates for water used. Section 2 would amend the monthly minimum charge for water to a monthly customer charge. Section 3 amends the prohibited discharge standards of the general sewer use requirements to add a limit of 150 mg/l for petroleum based oil and grease. Section 4 makes two changes to the sewer user charge section of the existing ordinance.

MOTION: Move that Ordinance No. G-02-04 be approved for first reading.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT FOR COMMISSIONER EDWARDS WHO VOTED NO.

3. Resolution No. R-02-94: To authorize the execution of an Employment Agreement (City Contract No. CA-0983) with Leroy D. Alsup to provide services as city manager for the City of Coffeyville, Kansas through December 31, 2007.

- City Attorney Paul Kritz addressed the Commission stating that as per guidance from Commissioners, this resolution would extend the employment agreement with Leroy D. Alsup to December 31, 2007 with essentially the same terms as he currently has.

MOTION: Move that Resolution No. R-02-94 be approved for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT FOR COMMISSIONER TROTTER WHO ABSTAINED.

4. Resolution No. R-02-95: To authorize the execution of the Kansas Department of Transportation's (KDOT) Change in Plans and Construction Forms for Change Orders No. 2 thru No. 6 to the KDOT construction contract with Beachner Construction Company, Inc. for grading, concrete pavement & traffic signal at the 11th & Walnut intersection. KDOT Geometric Improvement Project No. 166-63 K-6698-01).

- Director of Planning and Engineering Jeff Passantino addressed the Commission stating that this is basically a housekeeping item as the project has been completed. With these change orders, the total project came in $6,324 under budget.

  Passantino also reported that the City had received preliminary approval of the KDOT FY 2006 Economic Development Project for Cline Road Improvements from Highway 166 to Eighth Street.

MOTION: Move that Resolution No. R-02-95 be approved for adoption.

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

5. Adjournment.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 6:47 P.M. WEDNESDAY, NOVEMBER 20, 2002.

The next regular commission meeting is scheduled for November 26, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

approved: 11/26/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, NOVEMBER 26, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

Those commissioners absent were:
COMMISSIONER JIM MILLER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
WATER/WASTEWATER UTILITY DIRECTOR CHUCK SHIVELY
ENGINEERING TECH BRANDON WESTERVELT

A. INVOCATION.

1. Father Jerry Adinolfi, Saint Paul's Episcopal Church.

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular City Commission Meeting Minutes- Tuesday, November 12, 2002.
2.

ACTION: APPROVED AS PRESENTED

3. Special City Commission Meeting Minutes- Wednesday, November 20, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-68 - $2,704,633.40

MOTION: Move to approve Appropriation Ordinance No. AO-02-68 in the total amount of $2,704,633.40 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER MILLER WHO WAS ABSENT.

2. Appropriation Ordinance No. AO-02-69 (Baldwin) - $ 2,823.46

MOTION: Move to approve Appropriation Ordinance No. AO-02-69 in the total amount of $2,823.46 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO ABSTAINED AND COMMISSIONER MILLER WHO WAS ABSENT .

3. Appropriation Ordinance No. AO-02-70 (Strimple) - $ 40.00

MOTION: Move to approve Appropriation Ordinance No. AO-02-70 in the total amount of $40.00 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO ABSTAINED AND COMMISSIONER MILLER WHO WAS ABSENT.

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

1. NONE.

G. OLD BUSINESS.

1. Second Reading Ordinance No. G-02-04: An ordinance amending Chapter 26. Utilities, Article III. Water, Section 26-40. Rates for Water; Additional Meter and Service Installations at One Address, Paragraph (a), and Section 26-41. Minimum Charge, and Article IV. Use of Public and Private Sewers and Drains, Part I. General Sewer Use, Section 26-77. General Sewer Use Requirements. Paragraph A. Prohibited Discharge Standards. and Part IV. Fees and Miscellaneous Provisions, Sections 26-105. Sewer User Charge, paragraphs D., E., and F. of the Coffeyville Code of Ordinances, City of Coffeyville, Kansas and repealing any and all ordinances or parts of ordinances in conflict herewith.

MOTION: Move that Ordinance No. G-02-04 be passed to Second Reading and approved for adoption.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER EDWARDS WHO VOTED NO AND COMMISSIONER MILLER WHO WAS ABSENT.

H. NEW BUSINESS.

1. Resolution No. R-02-96: To authorize the execution of a letter of concurrence on the KDOT FY 2006 Economic Development Project for Cline Road Improvements from HWY 166 (11th Street) to 8th Street.

- Engineering Tech Brandon Westervelt addressed the Commission stating that the Kansas Department of Transportation Highway Advisory Commission has tentatively selected the extension of Cline Road from 8th Street to U.S. 166 (11th Street) for Economic Development Project funding in fiscal year 2006. In the original Economic Development grant application the city requested $964,172 from KDOT. They have allocated $800,000 for this project with their share being 75% of construction and construction engineering up to a maximum $800,000. The City will be responsible for 100% of the cost for design engineering, acquisition of right-of-way and utility relocation. The city share of the project is estimated to be approximately $486,000. The state funding for this project will not be available until July 2005.

MOTION: Move that Resolution No. R-02-96 be approved for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONEER MILLER WHO WAS ABSENT.

2. Resolution No. R-02-97: To authorize the execution of an Addendum to the Annexation Agreement between Leland S. and Kathryn M. Allega and the City of Coffeyville.

- City Attorney Paul Kritz addressed the Commission stating when the agreement to annex the Royal Pontiac property into the city limits, it included the City overlaying the parking lot. The City had determined its cost to overlay the parking lot would be not less than $42,000. The Allegas have requested the City make a cash payment of $42,000 in lieu of overlaying the parking lot.

MOTION: Move that Resolution No. R-02-97 be approved for adoption.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER MILLER WHO

WAS ABSENT.

3. First Reading Ordinance No. S-02-18: An ordinance amending Ordinance No. S-02-03, annexing land into the City of Coffeyville, Kansas pursuant to K.S.A. 12-519 *et seq*.

- City Attorney Paul Kritz addressed the Commission stating that on February 26, 2002, the Commission passed Ordinance No. S-02-03 which annexed the Royal Pontiac property into the City. In that ordinance, the legal description included certain portions of State Highway 169 which should not have been included in the annexation. This ordinance amends the legal description.

MOTION: Move that Ordinance No. S-02-18 be approved for First Reading.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY MAYOR BALDWIN. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER MILLER WHO WAS ABSENT.

4. Resolution No. R-02-98: To authorize the execution of a 3-year agreement with CGI Long Distance Services for the City of Coffeyville's long distance telephone service.

- Finance Director Jeff Morris addressed the Commission stating the City's long distance contract recently expired. Proposals were received from CGI, AT&T, Southwestern Bell and Sprint for long distance service. CGI, the current provider, submitted the most competitive proposal at $.065 per minute.

MOTION: Move that Resolution No. R-02-98 be approved for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER STRIMPLE AND SECONDED BY COMMISSIONER TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER MILLER WHO WAS ABSENT.

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Finance Department- Golf Course Financial Report.
2. Fire Department- October Fire Report.
3. Police Department- Inoperable Vehicle Report.
4. Cherryvale Public Schools- Letter of Appreciation.
5. Public Library- Minutes of October 3, 2002 Board Meeting.
6. Senior Citizens Activity Center- Minutes of September 12, 2002 Board Meeting.
7. Recreation Commission- Minutes of October 9, 2002 Commission Meeting and a Letter of Appreciation from David Rains.
8. Montgomery County Action Council- Packet from November 21, 2002 MCAC Meeting.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

L. ADJOURNMENT.

MOTION: Move to adjourn.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER MILLER WHO WAS ABSENT.

TIME OF ADJOURNMENT: 7:45 P.M. TUESDAY, NOVEMBER 26, 2002.

The next regular commission meeting is scheduled for December 10, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 12/10/02

REGULAR COMMISSION MEETING MINUTES
TUESDAY, DECEMBER 10, 2002
7:15 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
ELECTRIC UTILITY DIRECTOR JEFF TULLIS
DIRECTOR OF PLANNING & ENGINEERING JEFF PASSANTINO
ENGINEERING TECH SCOTT MASSMAN

A. INVOCATION.

1. Reverend Ray Newman, First Baptist Church

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular City Commission Meeting Minutes- Tuesday, November 26, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-71 - $651,829.50

MOTION: Move to approve Appropriation Ordinance No. AO-02-71 in the total amount of $651,829.50 for adoption.

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

2. Appropriation Ordinance No. AO-02-72 (Strimple) - $66.94

MOTION: Move to approve Appropriation Ordinance No. AO-02-72 in the total amount of $66.94 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER TROTTER AND SECONDED BY COMMISSIONER EDWARDS. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER STRIMPLE WHO ABSTAINED.

3. Appropriation Ordinance No. AO-02-73 (Edwards) - $3,522.29

MOTION: Move to approve Appropriation Ordinance No. AO-02-73 in the total amount of $3,522.29 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY COMMISSIONER TROTTER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER EDWARDS WHO ABSTAINED.

4. Appropriation Ordinance No. AO-02-74 (Trotter) - $ 450.26

MOTION: Move to approve Appropriation Ordinance No. AO-02-74 in the total amount of $450.26 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER EDWARDS AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO ABSTAINED.

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

1. NONE.

G. OLD BUSINESS.

1. Second Reading Ordinance S-02-17: An ordinance authorizing the City of Coffeyville, Kansas to transfer title to certain real property to the Public Building Commission of the City of Coffeyville, Kansas; to enter into a Lease with said Public Building Commission whereby the City will lease from the Public Building Commission said real property, including the hospital facility located thereon; and to enter into a Pledge of Revenues and Supplemental Lease Agreement with Coffeyville Regional Medical Center, Inc.; approving the form of said Lease and Pledge of Revenues and Supplemental Lease Agreement; and authorizing the execution thereof and certain related documents.

■ City Attorney Paul Kritz addressed the Commission stating there have been no changes or modifications to this ordinance.

MOTION: Move that Ordinance No. S-02-17 be passed to Second Reading and approved for adoption.

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

- Mayor David Baldwin recessed the meeting at 7:30 p.m. to allow the Coffeyville Public Building Commission to meet.

- Mayor David Baldwin reconvened the meeting at 7:40 p.m.

2. Second Reading Ordinance No. S-02-18: An ordinance amending Ordinance No. S-02-03, annexing land into the City of Coffeyville, Kansas pursuant to K.S.A. 12-519 *et seq.*

■ City Attorney Paul Kritz addressed the Commission stating there has been no change since the first reading of this ordinance.

MOTION: Move that Ordinance No. S-02-18 be passed to Second Reading and approved for adoption.

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

H. NEW BUSINESS.

1. Resolution No. R-02-99: To authorize the City to convey title to certain portions of unimproved land; authorizing execution of a special warranty deed; and authorizing the execution of all such other documents necessary to convey title to such property to Assisted Living at Windsor Place, L.L.C. (*Relative to additional equipment parking area for the National Guard Armory.*)

■ City Attorney Paul Kritz addressed the Commission stating the National Guard Armory has a need for an additional parking area near the Armory. The City owns the title to this property, however, it is tied up in an Industrial Revenue Bond with the Assisted Living at Windsor Place. This resolution releases the property from the IRB.

MOTION: Move that Resolution No. R-02-99 be approved for adoption.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND

SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE

2. Resolution No. R-02-100: To declare the boundary lines and City limits of the City of Coffeyville, Kansas, in compliance with and pursuant to K.S.A. 12-517.

   - Engineering Tech Scott Massman addressed the Commission stating that when a City's boundary has changed, a resolution must be adopted prior to the last day of December declaring the entire boundary of the City.

   MOTION: Move that Resolution No. R-02-100 be approved for adoption.

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

- Mayor David Baldwin recessed the meeting at 7:45 p.m. to allow the Coffeyville Public Building Commission to meet.

- Mayor David Baldwin reconvened the meeting at 7:55 p.m.

3. First Reading Ordinance No. G-02-05: An ordinance amending Chapter 26. Utilities, Article II. Electricity, Section 26-22. Meter Reading, billing and collecting and Section 26-23 Rate Schedules of the Coffeyville Code of Ordinances, City of Coffeyville, Kansas and repealing any and all ordinances or parts of ordinances in conflict herewith.

- Mayor David Baldwin stated this item will be presented at the portion of the City Commission Meeting adjourned to Thursday, December 12, 2002, at 5:30 p.m.

I. EXECUTIVE SESSION(s).

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.

2. Personnel matters of non-elected personnel.

   MOTION: Move to recess to executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and personnel matters of non-elected personnel to reconvene on or before 9:00 p.m.

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

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Finance Department- Sales & Use Comp Use Tax Report.
2. Fire Department- November Building Permit Report.
3. Police Department- Monthly Statistics & Inoperable Vehicles Report.
4. Clean Harbors Coffeyville, LLC, formerly Safety-Kleen: November 6, 2002 Correspondence.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

L. ADJOURNMENT.

MOTION: Move to adjourn until 5:30 p.m. on Thursday, December 12, 2002.

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

TIME OF ADJOURNMENT: 8:30 P.M. TUESDAY, DECEMBER 10, 2002.

Mayor Baldwin called the adjourned meeting to order on Thursday, December 12, 2002 at 5:30 p.m.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE
COMMISSIONER LARRY TROTTER

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE

3. First Reading Ordinance No. G-02-05: An ordinance amending Chapter 26. Utilities, Article II. Electricity, Section 26-22. Meter Reading, billing and collecting and Section 26-23 Rate Schedules of the Coffeyville Code of Ordinances, City of Coffeyville, Kansas and repealing any and all ordinances or parts of ordinances in conflict herewith.

- City Manager Leroy D. Alsup addressed the Commission stating that the Cost of Service Review prepared by Western Consulting concurred with what was discussed at the budget hearings in July and it appears that a 7% increase is necessary. The contract with GRDA is not as cost effective as the previous contract with KG&E, however, a new contract with KG&E would not have been as effective. This ordinance includes a built in power cost adjustment in the event one is required.

MOTION: Move that Ordinance No. G-02-05 be approved for First Reading.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER EDWARDS WHO VOTED NO.

- Commissioner Trotter announced that he was resigning from the Board of Commissioners effective immediately as he has been offered a position in the City Inspector's Office. Trotter thanked the Commissioners, staff and citizens for the opportunity to serve the City of Coffeyville.

- City Manager Leroy D. Alsup stated that Commissioner Trotter will be working with Jim Hayes as a code enforcement officer. Recently there has been more emphasis placed on the City's aesthetic appearance and stricter enforcement of the City's housing and property standards including demolition and removal of dilapidated and unsafe structures, removal of inoperable vehicles and the City is beginning to work on mandatory trash pickup.

- Mayor Baldwin thanked Commissioner Trotter for his service to the community.

MOTION: Move to accept Larry Trotter's resignation with regret.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TROTTER WHO ABSTAINED.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 6:04 P.M. THURSDAY, DECEMBER 12, 2002.

The next regular commission meeting is scheduled for December 19, 2002, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 12/19/02

REGULAR COMMISSION MEETING
THURSDAY, DECEMBER 19, 2002
5:30 P.M.

The Board of Commissioners met in Regular Session with Mayor David Baldwin presiding.

Those in attendance were:
COMMISSIONER DON EDWARDS
COMMISSIONER JIM MILLER
COMMISSIONER DEAN STRIMPLE

City Staff in attendance were:
CITY MANAGER LEROY D. ALSUP
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR JEFF MORRIS
WATER/WASTEWATER UTILITY DIRECTOR CHUCK SHIVELY
PLANNER/ARCHITECT DENNIS JACOBS

A. INVOCATION.

1. Doctor Wayne Norton, First Baptist Church

B. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG.

C. GENERAL DISCUSSION.

1. Overall Review of Agenda by Commission.

D. MINUTES.

1. Regular City Commission Meeting Minutes- Tuesday, December 10, 2002.

ACTION: APPROVED AS PRESENTED

E. APPROPRIATION ORDINANCE(s).

1. Appropriation Ordinance No. AO-02-75 - $706,586.07

MOTION: Move to approve Appropriation Ordinance No. AO-02-75 in the total amount of $706,586.07 for adoption.

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

2. Appropriation Ordinance No. AO-02-76 (Baldwin) - $3,379.71

MOTION: Move to approve Appropriation Ordinance No. AO-02-76 in the total amount of $3,379.71 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER MILLER AND SECONDED BY COMMISSIONER STRIMPLE. ROLL CALL VOTE – ALL AYE EXCEPT MAYOR BALDWIN WHO ABSTAINED.

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

1. NONE.

G. OLD BUSINESS.

1. Second Reading Ordinance No. G-02-05: An ordinance amending Chapter 26. Utilities, Article II. Electricity, Section 26-23 Rate Schedules of the Coffeyville Code of Ordinances, City of Coffeyville, Kansas and repealing any and all ordinances or parts of ordinances in conflict herewith.

MOTION: Move that Ordinance No. G-02-05 be passed to Second Reading and approved for adoption.

ACTION: THE MOTION WAS MADE BY MAYOR BALDWIN AND SECONDED BY COMMISSIONER MILLER. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER EDWARDS WHO VOTED NO.

H. NEW BUSINESS.

1. Discussion and action by the Board of Commissioners to approve the renewal of cereal malt beverage licenses for 2003.

   - City Clerk Cindy Price addressed the Commission stating there are 23 applications for 2003 Cereal Malt Beverage licenses. All these applications are renewals, all have been inspected by the fire department and health inspector and the police department has run background checks on all applicants.

MOTION: Move to approve the renewal of cereal malt beverage licenses for 2003.

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

2. Resolution No. R-02-101: To approve the renewal of the Montgomery County Fair Association's cereal malt beverage license for 2003 and exempt the special events sponsored by the Montgomery County Fair Association in Walter Johnson Park from the provisions of Section 4-52 of the City of Coffeyville Code of Ordinances.

■ City Clerk Cindy Price addressed the Commission stating this resolution is for the renewal of the 2003 cereal malt beverage license for the Montgomery County Fair Association for their special events held at Walter Johnson Park including the Inter-State Fair & Rodeo.

MOTION: Move to approve Resolution No. R-02-101 for adoption.

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

3. Resolution No. R-02-102: To authorize the issuance of a purchase order for Airport Liability Insurance Coverage in the sum of $2,400.00 to Newkirk, Dennis, & Buckles, Inc., agent for Old Republic Insurance Group.

■ Finance Director Jeff Morris addressed the Commission stating that staff recently requested a renewal quote for the City's Airport Liability Insurance policy from Newkirk, Dennis and Buckles. The quoted premium was $2,400 an increase of $298 or 14% compared to the previous year. Staff feels this is a competitive quote due to the insurance markets.

MOTION: Move that Resolution No. R-02-102 be approved for adoption.

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

4. Resolution No. R-02-103: To recognize and identify specific preferred vendors for chemicals to be used at the Water Treatment Plant and the Wastewater Treatment Plant during FY 2003.

■ Water/Wastewater Utility Director Chuck Shively addressed the Commission stating that bids were opened on November 21, 2002, for chemicals for the Water/Wastewater Treatment Plants for 2003. Staff recommends designating the low bidder as the preferred vendor for each chemical.

MOTION: Move that Resolution No. R-02-103 be approved for adoption.

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

5. Resolution No. R-02-104: To authorize the execution of a 36-month Uniform & Mat Rental Agreement for a sum not to exceed $17,500 per year with Cintas Corporation of Tulsa, Oklahoma, for a Protective Clothing/Uniform Program for employees and mat program for facilities of the Electric Utility Department.

■ City Manager Leroy D. Alsup addressed the Commission stating that the contract for protective fire-retardant clothing for Electric Department employees and the contract for floor mats at the power plant and electric warehouse offices is expiring. Staff is recommending a contract be approved for a period of 36 months with Cintas Corporation of Tulsa in an amount not to exceed $17,500 per year.

MOTION: Move that Resolution No. R-02-104 be approved for adoption.

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

6. First Reading Ordinance No. S-03-01: To rezone lots 9, 10 and 11 of Pleasant View Second Addition to the City of Coffeyville, Montgomery County, Kansas and amending the official zoning map of the City of Coffeyville, Kansas *(a/k/a 1300 West 9th Street)*.

- Planner/Architect Dennis Jacobs addressed the Commission stating that DeWayne Rosson, representing Coffeyville Feed and Farm, has requested property at 1300 West Ninth Street be rezoned from R-1 Single Family Residential District to C-4 Service Commercial District. The Planning Commission has unanimously recommended the zoning change.

MOTION: Move that Ordinance No. S-03-01 be approved for First Reading.

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

7. Coffeyville Regional Medical Center Board of Trustees- **Two Positions**: Review resumes; allow applicants in attendance to present themselves, if they so desire; and action by the Board of Commissioners to appoint two individuals to new four-year terms through January 1, 2007.

Reference note: *"The Trustees shall be residents of the City but no more than one physician shall be appointed."*

Applicants: *Barbara Kidwell, Johnna Antle and Stan Eli*

MOTION: MOVE TO APPOINT STAN ELI AND JOHNNA ANTLE TO FOUR-YEAR TERMS ON THE COFFEYVILLE REGIONAL MEDICAL CENTER BOARD OF TRUSTEES SERVING THROUGH JANUARY 1, 2007.

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

8. Economic Development Loan Advisory Board- **One Position**: Review resumes; allow applicants in attendance to present themselves, if they so desire; and action by the Board of Commissioners to appoint an individual to fill new three-year term through October 1, 2005.

   Reference Note: *Appointees may live outside of the City limits but within Township 34 or 35 South, Range 16 East; or Township 34 or 35 South, Range 17 East, Montgomery County, Kansas.*

   Applicants: *Jim Correll.*

   MOTION: Move TO APPOINT Jim Correll to a three-year term on the Economic Development Loan Advisory Board serving through October 1, 2005.

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

9. Resolution No. R-02-105: To document the determination of governing body of the City of Coffeyville relative to the availability of projected municipal revenues for the FY 2003 wage schedules in the FY 2001 to FY 2003 City of Coffeyville Personnel Manual/Memorandum of Agreement.

   - City Manager Leroy D. Alsup addressed the Commission stating that the recent announcement by Governor Graves to discontinue the demand transfers to the City will result in a loss to the City of $50,000 in 2002 and $168,000 in 2003. This resolution will document the determination of the Commission to determine the City's financial situation before granting raises. Staff will prepare a revised budget and present it to the Commissioners by the end of February. Raises for union employees will not be implemented until a final decision on availability of municipal revenues is made by the governing body subsequent to the completion of the revised FY2003 Budget. This does not affect health insurance increases the City is anticipating.

   MOTION: Move that Resolution No. R-02-105 be approved for adoption.

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

I. EXECUTIVE SESSION(s).

1. NONE.

J. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES.

1. Fire Department- November Fire Report.
2. Planning & Engineering Department- Minutes of Planning Commission Meeting on November 5, 2002 and 2002 Planning Activity Report.
3. Rochester Community and Technical College- December 9, 2002 correspondence from President, Don Supalla.
4. Kansas department of Commerce & Housing- December 9, 2002 correspondence informing the City that our Attraction Development Grant Application to fund improvements to the former Nations Bank Building to house the Dalton Defenders Museum was not funded. *The project will still move forward but we may not make as many improvements initially.*
5. Public Library- Minutes of November 7, 2002 Board Meeting.
6. Recreation Commission- Minutes of November 13th and 20th, and December 4, 2002 Commission Meetings.
7. Coffeyville Regional Medical Center- Various Reports.

K. ADDITIONAL BUSINESS.

1. Comments by the Public.

L. ADJOURNMENT.

MOTION: Move to adjourn.

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

TIME OF ADJOURNMENT: 6:07 P.M. THURSDAY, DECEMBER 12, 2002.

The next regular commission meeting is scheduled for January 9, 2003, at 7:15 p.m.

Cindy Price

Cindy Price, City Clerk

MINUTES APPROVED BY COMMISSION AS WRITTEN: 01/09/03